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Tuesday, 16 December 2008, 3 p.m.
New York

President:	Mr. Sanader	(Croatia)
Members:	Belgium	Mr. Grauls
	Burkina Faso	Mr. Kafando
	China	Mr. He Yafei
	Costa Rica	Mr. Urbina
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	Russian Federation	Mr. Lavrov
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Mr. Miliband
	United States of America	Ms. Rice
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation in Somalia

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08-65219 (E)

The meeting was called to order at 3.20 p.m.

Expression of welcome to ministers

The President: At the outset of the meeting, I should like to acknowledge and welcome the presence in the Council Chamber of the Secretary of State of the United States of America, Her Excellency Ms. Condoleezza Rice; the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, His Excellency the Right Honourable Mr. David Miliband, MP; the Minister for Foreign Affairs of the Russian Federation, His Excellency Mr. Sergey Lavrov; and the Vice Minister for Foreign Affairs of China, His Excellency Mr. He Yafei.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

The President: I should like to inform the Council that I have received letters from the representatives of Denmark, Egypt, Germany, Greece, India, Japan, Liberia, Norway, Somalia, Spain, Sweden, Turkey and Yemen, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jengeli (Somalia) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: On behalf of the Council, I extend a warm welcome to His Excellency Mr. Ali Ahmed Jama Jengeli, Minister for Foreign Affairs and International Cooperation of the Transitional Federal Government of Somalia.

I should like to inform the Council that I have received a letter dated 12 December 2008 from the Chargé d'affaires ad interim of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations, in which he requests that the Permanent Observer for the League of Arab States to the United Nations, His Excellency Mr. Yahya Mahmassani, be invited to participate in the consideration of the item in accordance with rule 39 of the Council's provisional rules of procedure.

If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Mahmassani.

There being no objection, it is so decided.

I invite Mr. Mahmassani to take the seat reserved for him at the side of the Council Chamber.

I should like to inform the Council that I have received a letter dated 15 December 2008 from the Permanent Representative of South Africa, in which he requests that the Commissioner for Peace and Security of the African Union Commission, His Excellency Mr. Ramtane Lamamra, be invited to participate in the consideration of the item in accordance with rule 39 of the Council's provisional rules of procedure.

If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lamamra.

There being no objection, it is so decided.

I invite Mr. Lamamra to take the seat reserved for him at the side of the Council Chamber.

I welcome the presence of the Secretary-General, His Excellency Mr. Ban Ki-moon.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2008/789, which contains the text of a draft resolution submitted by Belgium, France, Greece, Liberia, the Republic of Korea, Spain and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Belgium, Burkina Faso, China, Costa Rica, Croatia, France, Indonesia, Italy, Libyan Arab Jamahiriya, Panama, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1851 (2008).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): In this twenty-first century, the international community finds itself obliged to take up new challenges and to deal with old ones, such as piracy. Judging by all accounts, the pirates of the twenty-first century are well organized and equipped. Their actions are increasingly bold and their demands outrageous. There are almost daily reports of new ships being seized. Piracy and armed robbery off the coast of Somalia is a serious threat to the life of seafarers and ship passengers and detrimental to the security of shipping. It makes it difficult to provide international humanitarian aid to Somalia and leads to serious economic losses for many States.

All that demands that we, members of the international community, act resolutely. The problem has recently been the focus of attention in the Council, which has already done a fair amount in that direction. In addition to the United Nations Convention on the Law of the Sea and other international legal instruments, there are resolutions that provide a legislative basis for action to ensure the security of shipping in the region and send a strong signal to Members of the United Nations regarding the need to become actively involved in solving that very complex problem. It is important that the new Council resolution be based on current international law and not be designed to change it.

For Russia, as a maritime Power, safe shipping is of priority importance. Our citizens have already suffered from piracy. In October 2008, the Russian Navy became involved in international efforts to combat piracy off the coast of Somalia under resolution 1816 (2008), acting together with the military vessels of other States. Over 30 Russian and foreign ships have been escorted safely through the most dangerous part of the area and several pirate attacks thwarted. Our escort ship *Nyeustrashimy* will soon be leaving the region, but our presence will be ensured by other Russian naval ships, which will, of course, continue working with partners to combat piracy.

We welcome the fact that, in response to the appeal of the Council to unite efforts to combat piracy, a large number of States and organizations have responded. We would highlight the active position of countries in the region and the European Union. Much work is being undertaken by the International Maritime Organization, whose expert and intellectual potential will be increasingly in demand. We support the proposals to establish some machinery to coordinate the actions of the international community to end the threat of piracy, as reflected in the resolution that we have just adopted.

Unfortunately, in most cases so far the pirates have gone unpunished. To a significant extent, this is the result of the inadequate development of legal and practical procedures for holding the pirates to account. We call for a more active use of international legal instruments to ensure the security of shipping and for further improvement to legal regulations in this area, taking into account, of course, the specifics of each situation.

The new resolution we adopted today is an important decision, reached at the request of the Transitional Federal Government of Somalia, whose representative is here with us today. But we should not forget that piracy and armed robbery at sea is just the tip of the iceberg of the problems facing Somalia today. The problem is hardly likely to be resolved by force alone. We have to work actively to achieve social, economic and political stabilization in Somalia, so as to undermine the material base of the pirates.

This is referred to specifically in resolution 1838 (2008), which states that peace and stability, the strengthening of State institutions, economic and social development, respect for human rights and the rule of law are all essential to establishing the conditions to completely eliminate piracy and armed robbery in the coastal waters off the coast of Somalia. It is also clear that a long-term solution is possible only if there is a

comprehensive political settlement in Somalia, with assistance from the African Union, the United Nations and the international community as a whole. We expect that the resolution we have just adopted will help, in practical terms, to that end.

Mr. Miliband (United Kingdom): I would like to start by setting out an explanation of vote in relation to the resolution we have just passed before moving on to my broader statement.

The United Kingdom has voted in favour of the resolution adopted because we support robust action to address the serious threat to international navigation, including deliveries of humanitarian aid to the people of Somalia, posed by piracy and armed robbery off the coast of Somalia.

The authorization conferred by paragraph 6 of the resolution to permit States cooperating with the Transitional Federal Government to use "all necessary measures that are appropriate in Somalia, for the purpose of suppressing acts of piracy" enables States and regional organizations, with the consent of the Transitional Federal Government, to act, using force if necessary, against pirate activities on land in Somalia. This is an important additional tool to combat those who plan, facilitate or undertake acts of piracy from the territory of Somalia.

The United Kingdom considers that any use of force must be both necessary and proportionate. These concepts include an assessment that the measures taken must be appropriate to the circumstances to which they are directed.

That concludes my explanation of vote, and I would like to now make a statement on the wider issue of piracy and related issues.

I am obviously grateful to our colleague, Ms. Rice, for her initiative in taking this resolution through and for securing unanimous support for it. I think this is an important opportunity to discuss both the narrow issue of piracy and the wider situation in Somalia. I will try to do so briefly.

The seas off Somalia are a key economic artery for global trade and for many nations represented here. But they are also essential to the delivery of essential humanitarian supplies to the people of Somalia. The United Kingdom and many others are working to address the issue of piracy at sea, with the European Union, NATO and Combined Task Force 150 all playing their role in seeking to escort World Food Programme vessels, deterring pirate activity and, where possible, disrupting attacks. Others are contributing naval assets to undertake similar tasks. The cooperation at the military level amongst those contributors is demonstrating how we can work together on this difficult issue.

However, it is important that we work not just on the military front, but with the shipping industry, either on a Government-to-industry basis or through the International Maritime Organization. To support these efforts, I welcome the practical measures that we have agreed in the resolution today.

However, as my Russian colleague has intimated, we cannot look at the issue of piracy through the prism of international trade or shipping alone. In Somalia itself, as people understand from watching television or reading the newspapers today, the political, humanitarian and security situations carry real risks. The Djibouti process has, for many people, opened a potential new chapter for Somalia. It is a Somali-owned process and must remain so. But we have a responsibility, as members of the Security Council, to do what we can to support it. It will not succeed in isolation from the political process.

I hope that all those engaged in the negotiation can do what is necessary to turn it into practical reality. The clear and shared goal is to work for a credible commitment from the Transitional Federal Government, the Alliance for the Re-Liberation of Somalia and other political forces to re-energize the Djibouti political process with the aim of producing a more representative political system.

There are, however, two major areas of uncertainty that raise questions for the United Kingdom. One is about political uncertainty, the other is about uncertainty relating to the security situation.

With respect to the political uncertainty, there is a necessity for early concrete steps to deliver a viable way forward. Sheikh Sharif's recent visit to Mogadishu is an important example of this. We also need to see an orderly transition to the proper Government of national unity and the clear appointment of key cabinet figures. This will be vital if Somalis are to be effective in developing an indigenous security sector.

At the same time, it is clear that there are major questions relating to the security situation as well. I

look forward to learning in this debate of the views of a range of members here, including the Somali delegation, about their understanding of the intentions of Governments in the region, about the future of the African Union Mission in Somalia and about the security needs in Somalia. We understand that the history of intervention in Somalia is one that carries a great number of important lessons for all of us. We will be addressing these issues in a manner consistent with our own commitments, not just to the humanitarian situation, but also to the political support that is going to be necessary to take this forward.

Mr. He Yafei (China) (*spoke in Chinese*): China supports the holding of this high-level Security Council meeting on countering piracy off the coast of Somalia. This meeting and the resolution we just adopted fully demonstrate once again the commitment and confidence of the international community in coming together and fighting piracy. The signal sent by the Security Council is positive, right and timely.

Piracy off the coast of Somalia has become increasingly rampant, and it is now an international matter, posing a great threat to international navigation, maritime trade and security at sea. China is also one of its victims. So far, a total of six vessels registered in or rented by China have been hijacked in the waters off the coast of Somalia. One vessel and 17 Chinese nationals remain in captivity to this day. This has aroused utmost concern from the Chinese Government and the general public. The long-term delay in the settlement of the Somali issue is posing a serious threat to international peace and security, while the rampant piracy off the Somali coast has worsened the security situation in Somalia.

In fulfilling its primary responsibility of maintaining international peace and security, the Security Council has so far this year adopted three resolutions on this issue. China welcomes international cooperation in the fight against piracy off the coast of Somalia and supports the efforts of the countries concerned to send warships to the region to crack down on the pirates, pursuant to the relevant Security Council resolutions. China is seriously considering sending ships to the Gulf of Aden and the waters off the Somali coast for escorting operations in the near future.

To step up the fight against piracy off the Somali coast, the Chinese delegation would like to make the following proposals. First, we must give full play to the important role of the United Nations. Since fighting piracy in that region involves many different parties, the problem can only be resolved through concerted efforts by all the parties concerned. It is therefore crucial that the United Nations, and the Security Council in particular, carry out its core function of maintaining international peace and security and effectively coordinating the response and efforts of all the countries concerned.

Secondly, international law and Security Council resolutions must be strictly adhered to. That is an important prerequisite for extensive support from the people of Somalia and the rest of the international community for the relevant anti-piracy efforts. The international community should cooperate on the basis of the United Nations Convention on the Law of the Sea and Security Council resolutions. Any anti-piracy operation should be carried out in full compliance with the mandates established by Security Council resolutions, and in particular while fully respecting the sovereignty and territorial integrity of littoral countries and after having secured the prior consent of the Transitional Federal Government of Somalia.

Thirdly, there is a need to formulate an integrated strategy. Combating piracy off the coast of Somalia is a comprehensive and systematic undertaking, for it involves efforts in the political, military, economic, diplomatic and judicial spheres. Concerted efforts must be made on various tracks in order to achieve tangible results. In addition, priorities for different phases must be identified, and eventually redefined in the light of the evolving situation.

Fourthly, Somalia must be assisted in strengthening its own capacity-building and participating in regional cooperation. The Government and people of Somalia hold the key to resolving the issue of piracy. The international community should help the Somali Government to improve its capacity-building in various ways. Successful past practices have demonstrated that regional cooperation can play an important role in that regard. China welcomes the concerted efforts to be made by the littoral countries of the Red Sea, the Gulf of Aden and the western Indian Ocean to address the issue of piracy off the coast of Somalia through regional arrangements.

Piracy off the coast of Somalia is not an isolated phenomenon. The scourge of piracy is a mere symptom

of the profound political, economic, social and humanitarian crises confronting Somalia. The international community must take the fight against piracy seriously. More important, however, is to eradicate the root causes of piracy. We call on all parties concerned to further advance the political process and promote the implementation of the Djibouti Agreement in good faith.

The Security Council should heed the strong desire of the Somali Government and the African Union, strengthen the African Union Mission in Somalia and mandate the United Nations to take over peacekeeping operations in Somalia at an early date. In the meantime, the international community should work to prevent the humanitarian situation in Somalia from deteriorating further. It should also increase assistance to Somalia for infrastructure and development projects in order to help it to reinvigorate its productive capacity. China will continue to make its contribution in that regard.

Mr. Natalegawa (Indonesia): Before I make our general statement, allow me to present Indonesia's position on the resolution that the Council has just adopted. My delegation voted in favour of resolution 1851 (2008) as a reflection of its recognition of the gravity of the threat of piracy in the waters off Somalia. In doing so, however, we do not lose sight of the fact that, in the final analysis, the solution to that threat lies with Somalia itself. Thus we wish to underscore once again the need to promote conditions conducive to the promotion of the political process in that country.

In that connection, we would like to underline the need to ensure that the measures foreseen in paragraph 6 of the resolution do not inadvertently complicate the search for such a political solution to the crisis in Somalia. We also wish to underline the need to ensure that the measures foreseen in the same paragraph do not exacerbate the humanitarian situation in the country and are taken in full compliance with applicable international humanitarian and human rights law.

Furthermore, we wish to emphasize that there exists a range of measures to address the threat of piracy in Somalia. In other words, the resolution is not exclusively about the use of forcible measures. We wish to highlight in particular the importance of legal enforcement measures.

My delegation commends the recognition in t resolution of the need to promote coordination betwe States and regional organizations fighting the threat piracy in Somalia, as well as the recognition of t importance of building Somalia's national capacity deal with that menace.

My delegation wishes to underscore that, first a foremost, the measures contemplated under t resolution, as with other previous resolutions, st from the request of the State concerned, name Somalia.

Finally, our support for the resolution is based the fact that it is focused on Somalia and spells clearly that its provisions shall not affect the righ obligations or responsibilities of Member States un international law, including under the 1982 Uni Nations Convention on the Law of the Sea, and sh not be considered as establishing customa international law.

Mr. Hoang Chi Trung (Viet Nam): We too ha the honour to give an explanation of our vote. We ha voted in favour of the resolution on the basis of t request made to the Security Council by Somalia w respect to support for the countries of the region efforts to suppress piracy in the waters off the coast Somalia.

We wish to reaffirm that the resolution is aim at ensuring respect for the sovereignty, territor integrity, political independence and unity of Soma and promoting safe and uninterrupted mariti navigation in the area. The measures taken under t resolution must be consistent with releva international treaties and must not be considered establishing customary international law.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): M delegation would also like to express its reasons supporting the resolution that we have just adopted, we understand that acts of piracy and armed robbe off the coast and on the territory of Somalia requ real action on the part of the Security Council to h combat them. It is for the same reason that Costa R has supported previous resolutions adopted by t Council in the past six months on this matter, name resolutions 1816 (2008), 1838 (2008) and 1846 (200

My delegation believes that piracy and arm robbery off the coast and on the territory of Soma are consequences of the crisis being experienced

that country. However, they are not the primary cause of the problem. We believe that the Council should swiftly address the primary cause with the same speediness with which it addressed the consequences, in order to cooperate in helping the country achieve lasting peace and stability.

We also believe that any efforts that may be carried out to combat piracy and armed robbery off the coast and on the territory of Somalia must necessarily have the explicit consent of the Government of that country, which should always have the last word on matters that affect it directly. It is also crucial that we frame those efforts within international law and that we coordinate closely with the Government.

We would therefore have liked paragraph 6 of the resolution to include an explicit reference to international law, in order that the implementation of all the necessary measures called for by that paragraph always occurred within the context of international law, including international humanitarian law and human rights law. We disagree with those who understand that an explicit reference to international law is a way of limiting or eviscerating the operative part of the resolution. We believe that when the Security Council acts in conformity with the Charter, as in this instance, its resolutions not only have international legal grounding, but they are themselves international law.

Finally, my delegation calls on States to implement this and previous resolutions and, in their efforts to cooperate to combat piracy and armed robbery off the coast and on the territory of Somalia, adopt measures both in coordination with the Government of that country and in close adherence to the provisions of international law.

The President: I now give the floor to His Excellency Secretary-General Ban Ki-moon.

The Secretary-General: Today's meeting comes at a critical juncture in the continuing tragedy of Somalia. Ethiopia's statement to me in a letter of 25 November that it plans to withdraw its troops from Somalia by the end of this year is consistent with the Djibouti Agreement but could easily lead to chaos. In response to the risk of a deterioration in the security situation and concerns expressed by the African Union, this body and the African Union must work closely together to provide additional support to the African Union Mission to Somalia (AMISOM) to enhance its capacity to defend itself and to continue to hold the strategic areas in Mogadishu, while efforts to build Somali security structures under the Djibouti process continue. Prime Minister Meles has reiterated to the Ethiopian Parliament his intention to completely withdraw the troops in two weeks.

The African Union is scheduled to discuss the renewal of the AMISOM mandate at the ministerial meeting in Addis Ababa on 22 December. If they do not renew the mandate, the AMISOM forces are likely to depart before the Ethiopian forces are withdrawn. We are, however, encouraged by an indication given by both Burundi and Rwanda that they are prepared to deploy additional battle units to AMISOM if the essential resources are made available. All eyes are on the discussion in this Chamber to gauge the determination of the international community to respond to this danger. Our actions today will be critical to the African Union's decisions on Somalia next week.

I should now like to discuss briefly the latest political developments in Somalia. There is a credible political process underway in Somalia called the Djibouti process, which has been nurtured by my Special Representative Ahmedou Ould Abdallah. Somali parties agreed on 25 November to expand the Transitional Federal Parliament by 275 seats. The parties also agreed to extend the transitional period, which ends in September 2009, by two years. The enlarged Parliament is expected to elect new Somali leadership. They have also agreed to set up a joint force to form the backbone of a united security force.

The return of the leader of the Alliance for the Re-Liberation of Somalia, Sheikh Sharif, and 39 of his followers to Mogadishu from their two-year exile is a promising move. Reports indicate that they were warmly received by Somalis. This represents a first step in importing and entrenching the Djibouti peace process into Somalia. As we have said on numerous occasions, the responsibility to bring peace and stability to Somalia rests primarily with the Somalis themselves. However, continuing feuds within the Transitional Federal Government and the recent division between the President and the Prime Minister with regard to the former's duties can jeopardize the peace process and affect the functioning and stability of the Government. At the same time, I urge the armed groups in Somalia that have cited Ethiopia's withdrawal as a condition for ending the fighting now

to lay down their weapons and join the Djibouti process.

Humanitarian access remains severely restricted and the level of insecurity for humanitarian workers and the local civilian population is unacceptably high. During this year alone, an estimated 250,000 people were displaced from Mogadishu. The overall number of internally displaced persons stands at 1.3 million and an average of 5,000 Somali refugees arrive every month in the refugee camps in Kenya. The number of people in need of assistance and livelihood support in Somalia now stands at 3.2 million. The delivery of such assistance remains a logistical challenge, not least because of piracy, which has increased the cost of transporting supplies. I am deeply concerned about the direct targeting of aid workers and United Nations staff, which has led to the deaths of four United Nations staff members between September and December. The challenges are huge, but humanitarian agencies continue to deliver relief supplies, including in conflict areas. If the security situation deteriorates, access to humanitarian assistance will only get worse.

I have repeatedly stated that the most appropriate response to the complex security challenges in Somalia is a multinational force rather than a typical peacekeeping operation. Such a force should have the full military capabilities required to support the cessation of armed confrontation, to stabilize Mogadishu and to defend itself. I have approached 50 countries and three international organizations to request contributions to a multinational force. The response has not been encouraging. No Member State has offered to play the lead nation role. In the absence of adequate pledges for a multinational force, I intend to propose to the Council three concrete measures that would provide the necessary security arrangements in support of the Djibouti peace process. If successful, these would pave the way for the deployment of a United Nations peacekeeping operation, in keeping with Security Council resolution 1814 (2008).

First, we should provide the African Union with substantial and credible resources to reinforce AMISOM, including the means to deploy the additional battle units pledged by Rwanda and Burundi. I will also suggest that all resources pledged for a multinational force be redirected to AMISOM, if a multinational force does not materialize. Financing will be a major concern, and we will have to explore with Member States creative approaches to mobilize the funds needed. As we are liquidating the United Nations Mission in the Sudan, we have already identified assets that could be donated to AMISOM with the approval of the General Assembly.

Secondly, the Security Council should consider ways to build the capacity of the Somali parties themselves to restore security, import the Djibouti talks into Somalia and carry forward the peace process. This could include the provision of training through international partners for the joint Government-Alliance forces established by the Djibouti agreement, as well as capacity-building for the police, judicial and corrections sectors. Such efforts would be conducted under an overall security sector reform strategy, which could be nationally owned, with the United Nations assuming a coordinating role.

Finally, the Council could explore the possibility of establishing a maritime task force or adding to the current anti-piracy operations a peak reaction component. This would have the capability to launch operations into Somalia in support of the activities of the United Nations Political Office for Somalia and AMISOM operations. Our objective is to stabilize Somalia and find a durable solution to the crisis in that country. I recognize that some members of the Council have other suggestions for dealing with the security crisis in Somalia, including putting the AMISOM forces under a United Nations peacekeeping operation now. That is not our preferred option. We are of the view that strengthening AMISOM through, inter alia, the provision of financing, logistical support, necessary training and equipment and other reinforcements facilitated by the United Nations and Members States is a more realistic option at this time.

At the same time, we are continuing contingency planning for the deployment of a full-fledged United Nations peacekeeping operation at the appropriate time and under the right conditions, as requested by the Council. I will soon provide a detailed report to the Security Council, covering these proposals.

I share the deep concern of Member States at the escalation of acts of piracy and armed robbery off the coast of Somalia. I welcome the actions this Council has just taken to deal with the issue.

I am particularly impressed by the actions of Member States and international organizations to pool their efforts and resources to fight piracy and armed robbery at sea. I want to extend my thanks to the

European Union, NATO and individual Member States that have contributed in this regard.

The need to coordinate and fortify these efforts remains ongoing. My Special Representative for Somalia convened an international conference on piracy from 11 to 12 December to further discuss this issue. My Legal Adviser stands ready to assist States in trying to find a solution to the practical, legal and jurisdictional issues involved.

As requested by the Security Council in its resolution 1846 (2008) of 2 December, I will submit recommendations on ways to ensure the long-term security of international navigation off the coast of Somalia. In the interim, the Secretariat has designated a focal point in the Office of Military Affairs of the Department of Peacekeeping Operations for information-sharing on anti-piracy operations.

We must be mindful that piracy is a symptom of the state of anarchy which has persisted in Somalia for over 17 years. This lawlessness constitutes a serious threat to regional stability and to international peace and security. Our anti-piracy efforts must be appraised in the context of a comprehensive approach which fosters an inclusive peace process in Somalia and assists parties to rebuild security, governance capacity, address human rights issues and harness economic opportunities throughout the country.

I appeal to the leaders and people of Somalia to give peace a chance and to put the 17-year war behind them. I am particularly disturbed by the continuing disunity within the Government's leadership. Without an effective and unified Government to support, there is little that the United Nations and, indeed, the international community, can do in Somalia. I urge the country's leaders to put their differences aside and place the future of the Somali people first.

As the international community, today we must send a positive political signal to the Somali people and the African Union that we are willing to provide the security path that will complement the political compromises reached through the Djibouti process.

We must act before it is too late.

Ms. Rice (United States of America): I thank you very much, Mr. President, Mr. Secretary-General and all my colleagues for participating in this very important Security Council meeting on piracy.

Obviously, we are here because the outbreak of piracy and the increasing threat to commerce, security and, perhaps most importantly, to the principle of freedom of navigation of the seas, are issues that should concern every nation State and I do believe that the resolution we have adopted today will help us go a long way towards a coordinated response to the scourge of piracy.

We have noted that several factors have been limiting the effectiveness of our response, although a number of countries have been responding. The United States has been part of that response, as has the European Union, NATO and a number of other countries represented in this Chamber. However, because there has been no existing mechanism for States to coordinate their actions effectively, I believe that our response has been less than the sum of its parts.

I would like to announce that the United States intends to work with partners to create a contact group on Somali piracy. We envision the contact group serving as a mechanism to share intelligence, coordinate activities and reach out to other partners, including those in the shipping and insurance industries. We look forward to working quickly on this initiative.

A second factor limiting our response is the impunity that the pirates enjoy. Piracy currently pays, but worse, pirates pay few costs for their criminality. Their dens in Somalia provide refuge from the naval ships in the Gulf of Aden and, as we saw with the hijacking of the *Sirius Star*, 500 nautical miles from Mombasa, and with the recent, unsuccessful attacks even further south, off the Tanzanian coast, pirates are adapting to the naval presence in the Gulf of Aden by travelling farther to attack unsuspecting ships.

To make piracy costlier and more difficult to undertake, the United States, with the agreement of the Somali Transitional Federal Government (TFG) believes that the Security Council's authorization today, that States may pursue pirates into their place of operation on land, will have a significant impact. History has demonstrated again and again that maritime operations alone are insufficient to combating piracy.

We also have a problem concerning the steps that must be taken to facilitate the delivery, detention and prosecution of captured pirates. Through international

law, reflected in the United Nations Convention on the Law of the Sea, Security Council resolutions 1846 (2008) and 1816 (2008), and the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA), the international community already has sufficient legal authority and available mechanisms to apprehend and prosecute pirates, but sometimes the political will and the coordination have not been there to do so.

This problem of capacity is especially pronounced in the regional States. Their proximity to piracy makes them an obvious choice to site prosecutions, but many lack the necessary judicial and law enforcement capacities to do so. Thus, we call on all States, particularly those victimized by Somali piracy to contribute generously to building the legal capacity of regional signatories to the 1988 Convention States. In the resolution, we also ask the United Nations to explore what can be done to build legal capacities in those States.

At the same time, as we expect regional States to play a critical role, victim States also need to bear equal responsibility for prosecuting pirates. States that flagged hijacked vessels, whose nationals own hijacked vessels, or who have crew members on hijacked vessels must honour their obligations under the 1988 Convention in relation to receiving and prosecuting suspected pirates.

We must ask the maritime industry to promote capabilities to enhance ships' ability to defend themselves. Once a hostage situation develops, the stakes in military operations increase. Consequently, an important part of counter-piracy efforts must be measured in enhancing self-defence capabilities of commercial vessels, increasing the odds of success against pirates until war ships arrive.

Finally — and a number of colleagues have spoken to this — we must address the root cause of the piracy problem. Piracy is a symptom — a symptom of the instability, the poverty and the lawlessness that have plagued Somalia for the past two decades.

The Djibouti peace process has achieved some political headway in the past few months. I thank the Secretary-General for his excellent Special Representative, Ambassador Ould-Abdallah, but the deteriorating security and humanitarian situation on the ground is threatening that progress and threatening it every day. The international community must make it a priority to work with the TFG, both to stabilize its internal situation and to work with the Alliance for the Re-Liberation of Somalia as well as with the African Union Mission in Somalia (AMISOM), to help stabilize the country's security situation.

In this regard, allow me to note that the United States does believe that the time has come for the United Nations to consider and authorize the peacekeeping operation. This has been requested by the African Union, by countries that are bearing the brunt of the difficulty on the ground and while the conditions may not be auspicious for peacekeeping, they will be less so if chaos reigns in Somalia and we have to turn at some point to peacemaking.

Prevention is the issue here. The United States will do everything it can to continue the support of AMISOM; indeed, the United States provided $67 million for training and equipping AMISOM and deploying it last year. We will continue to do that, and we will buttress our support to AMISOM. But I am afraid that the history of support for forces of this kind is not a very good one. What happens is that we are not able to sustain the voluntary contributions and the voluntary training; we are not able to sustain the mechanisms to ensure that the work is flowing smoothly. That is why we have a peacekeeping operation in the United Nations, because it draws on the full resources of the Member States in a way that is not voluntary but that is compulsory, to do the work of this Council.

So the United States will be, with other States, continuing to raise, in consultations — not yet for consideration by the Council, but in consultations — the need for a peacekeeping force in accordance with the request of the African Union that we do so.

Let me just say finally that we believe that once peace and normalcy have returned to Somalia, Somalis can start down a path to real economic development. In the long run, offering the Somali people an alternative to piracy and criminality is the best sustainable strategy for combating piracy. As part of that strategy, the United States believes in working with the international community to help Somali fishermen prosper by preventing illegal fishing and dumping in Somali territorial waters.

With our meeting and resolution today, we have sent a strong signal of commitment to combat the scourge of piracy. This current response is a good start,

but we must do much more to defend the freedom of navigation and trade. The shipping industry will be an important partner in those efforts. But let us make no mistake; it is Governments that must lead. We need to coordinate our efforts through a common point of contact. We need to end the impunity of Somali pirates and to support regional States in building the capacity to prosecute them effectively, and we need to work to build security and stability in Somalia so that the Somali people can finally enjoy the blessings of peace and the rule of law and development.

Mr. Mantovani (Italy): While we thank the Secretary-General for being with us today, we also acknowledge your presence, Sir — the Prime Minister of Croatia; and the Secretary of State of the United States, Dr. Rice; Foreign Minister Miliband; Foreign Minister Lavrov; the Vice Minister for Foreign Affairs of China, and also, with particular satisfaction, the Foreign Minister of the Transitional Federal Government of Somalia and all of his delegation.

Italy has traditionally followed with deep concern the very difficult developments of the national reconciliation process in Somalia and the dire consequences of the crisis in both the humanitarian and security fields. We therefore fully appreciate this opportunity to discuss the situation in Somalia, which more and more urgently deserves the attention of the international community.

Italy is strongly committed to support the peace efforts led by the Special Representative of the Secretary-General, Mr. Ould Abdallah, as well as by the Intergovernmental Authority on Development (IGAD) aimed at finding an inclusive negotiated solution within the very sensitive regional context. In particular, Italy supports the political process opened by the Djibouti Agreement between the Transitional Federal Government and the opposition, represented by the Alliance for the Re-Liberation of Somalia. However, its pursuit requires an effective security framework. The announced withdrawal of the Ethiopian troops needs to be accompanied by immediate and strong support to the African Union Mission in Somalia (AMISOM) so as to avoid a dangerous security vacuum, thus contributing to the implementation of the Djibouti process.

Italy supports the idea of a United Nations rehatting of AMISOM as the only feasible option for a really concrete United Nations involvement on the ground, sustaining and integrating the already significant effort made by the African Union. We could not agree more with the remarks by Secretary of State Rice on the need for the international community and the United Nations to assume direct responsibility in the Somali crisis.

Italy of course strongly supports all international efforts to counter piracy, which certainly poses a major threat to the delivery of humanitarian aid and to the freedom of international navigation, as well as to the safety of commercial maritime routes. In that respect we are strongly committed to all multinational initiatives against piracy in the European Union, NATO, the International Maritime Organization and all the other relevant multilateral forums. We consider that the NATO naval mission in which we are presently taking part represents a major step forward in the fight against piracy and that the newly established European Union naval operation Atalanta will further strengthen our common endeavour.

Piracy off the Somali coast is clearly the result of the general political and security crisis in the country. For that reason, Italy is once more convinced that naval action against piracy should be complemented by a stabilization process on the ground, from both a political and a security viewpoint. Only through timely and concrete support to such processes can the United Nations meet its political and moral responsibilities in what should no longer be considered as a forgotten crisis.

Mr. Ripert (France) (*spoke in French*): I wish first to thank the Secretary-General for his statement and welcome the presence — in addition to yourself, Sir — the presence of a number of ministers, including the Minister for Foreign Affairs of Somalia. I wish to pay tribute to the commitment of Ms. Condi Rice, who took the initiative of requesting the Organization to convene this meeting. We welcome the adoption of resolution 1851 (2008).

The most recent reports available to us, from the United Nations and the International Maritime Organization, confirm that piracy attacks are becoming increasingly numerous and violent, and increasingly sophisticated. They represent today a major danger for the Somali people first, because of the roughly 3.5 million displaced persons and particularly because of all those who depend on international humanitarian food aid. The attacks also jeopardize international

maritime shipping along the Somali coast, which is one of the world's most dense shipping lanes.

The deep roots of that phenomenon, as has already been said, are to be sought on land, not in the sea. War, the absence of a State, the lack of legal economic outlets and the actions of criminal groups — these are the root causes. While the Somali crisis has gone on for 18 years now, it is only in the last two or three years that piracy has become a veritable criminal industry along the Somali coast. We are convinced that through determined action at sea it will be possible to end this vicious circle without waiting for all necessary conditions to be met in order to eliminate piracy completely and to thus permit at least the provision of food aid.

My delegation notes that for several months this year when the World Food Programme (WFP) did not have sufficient protection for its ships for Somalia, deliveries fell by 50 per cent, to the immediate detriment of the population. France and the European Union are acting. As the President of the Republic stated here in September 2007, France took the initiative to ensure the protection of maritime convoys of the WFP, which was later assumed by the Netherlands, Denmark and Canada.

The European Union decided on 10 November to deploy the first naval operation in its history to combat piracy along the Somali coast, using naval and aerial measures, in response to the Security Council's call in resolutions 1816 (2008) and 1838 (2008). That operation started on 8 December. It has a very clear European mandate that will enable it to guarantee protection for convoys under the WFP for one year and to provide decisive support to other vulnerable vessels.

A couple of weeks ago, resolution 1846 (2008) gave the international community what it required as a minimum — namely, a one-year extension of the authorization, with conditions, for entrance into Somali waters and to combat pirates. Over the past week we have worked assiduously to make further progress, particularly to encourage the establishment of an international coordination mechanism. It goes without saying that, given the immensity of the area to be covered, the European Union will not be working alone, but together with its major partners. NATO has been ensuring protection for facilities of the World Food Programme. Russia and India are also active in the area, and many other States have indicated their interest.

In nearly three months' time, we will consider a report of the Secretary-General on the role that the United Nations can play. France is convinced that the Secretariat can play a key role in continuing to mobilize the international community. In that regard, I welcome the Secretary-General's appointment of a unique liaison point within its teams. It is clear that we must all coordinate our efforts without delay by creating an appropriate mechanism, which will, of course, include the Secretariat.

Several speakers have referred to the fact that the international community, and the Council in particular, must become more actively involved in the Somali crisis itself. As recommended by the Special Representative, whose commitment I commend, the Security Council has equipped itself with individual sanctions measures to exert pressure on those who have been opposing the peace process. The Council has also indicated its readiness to support a multinational force that would, as requested by the signatories to the Djibouti Agreement, be deployed to Mogadishu.

My delegation is mindful of the fact that it has not been possible to constitute such a force. We also note that a conventional peacekeeping operation would not be realistic in Somalia today. There would have to be tens of thousands of troops equipped and trained in specific urban combat techniques, totally self-sustaining, with very heavy military equipment. Above all, however, the encouraging progress of the political process has not yet been concretely reflected on the ground, and thus security conditions have not improved today. Moreover, the situation is very fluid, and the announced withdrawal of Ethiopian troops is not only a destabilizing factor in terms of security, but also a political opportunity.

The Secretary-General just outlined several courses of action. He referred to decisive support for the African Union Mission in Somalia (AMISOM) — financial, logistical and political support to ensure its increased reinforcement. France, which has supported the deployment of Burundian battalions, favours such support. Perhaps the time has come to go further and create a trust fund for that operation.

Likewise, we believe that the international community must do everything in its power to support — including in financial terms — the joint

force that the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia have decided to establish. It is essential to devise a financing mechanism that will enable such support to materialize and will enable the Somali parties to begin to create conditions for a way out of the crisis. Making swift progress in that regard is necessary, but it may not be sufficient if AMISOM is soon left alone on the ground, despite its courage. However, we are not condemned to an impossible choice between inaction and measures that are dangerous for the United Nations and would not provide any concrete assistance to the Somali population.

France is convinced that, as in the case of piracy, we can come up with a novel approach. For example, we believe that we should collectively consider the possibility of a multiphase United Nations operation, with a first phase of stabilization, limited in scope, that would enable us to promote political dialogue, foster the re-establishment of the United Nations Political Office in Somalia, facilitate humanitarian access to Mogadishu and keep coordinating with a strengthened and financially supported AMISOM. Following that would be a consolidation phase that would see a conventional peacekeeping operation. We note with great interest the report being prepared by the Secretary-General, which apparently reflects a similar approach.

Through the adoption of resolutions 1846 (2008) and 1851 (2008), we have the legal means to combat piracy more effectively. The European Union, like others, has begun to act. We must continue this effort and, whenever possible, continue to provide tangible assistance to the Somali population.

Mr. Grauls (Belgium) (*spoke in French*): The fight against piracy off the coasts of Somalia has been the object of increasing mobilization on the part of the international community over the past year. In addition to various Council resolutions, several specific initiatives have been taken to respond to a phenomenon that is taking on extremely worrisome proportions in terms of maritime security and the provision of humanitarian aid.

Belgium strongly supports international action to combat acts of piracy. As a member of the European Union, our country participates in such action through Operation Atalanta and has decided to participate directly in the coming months by providing a warship. Mr. President, Belgium welcomes the fact that your country, Croatia, and mine plan to cooperate in the Operation.

Today's meeting has led the Security Council to take an another step in addition to resolution 1846 (2008). In fact, the resolution that we have just adopted authorizes the international community to act not only in the territorial waters of Somalia, but also on its soil. That gives us another instrument to effectively combat piracy.

However, Belgium would like to emphasize the exceptional nature of this measure. The Council certainly has the power to adopt exceptional measures, as we have already done with resolutions 1816 (2008) and 1846 (2008). But Belgium strongly believes that the concern to suppress piracy must not undermine certain very valuable principles of international law: the law of the sea, freedom of navigation and the sovereignty of States over their territories. That is why it was essential that the exceptional measures just adopted by the Council be time-bound, strictly monitored and taken for only one specific purpose, namely, combating piracy and only by countries cooperating with the Somali authorities, in compliance with humanitarian and human rights law.

It is obvious that, ultimately, eradicating piracy is only one aspect of the problems posed by the situation in Somalia. Combating piracy can in itself have positive effects, as one can see from the recent report of the Monitoring Group, which highlighted the links between piracy and weapons trafficking. More generally, the international community has an obligation to continue to work to promote stabilization of the country. However, we must resist the temptation to lump together the responses given by the international community.

Piracy is a particular phenomenon that requires appropriate responses. Efforts to support peace and efforts to combat piracy should be carried out in parallel, each with its own requirements and means. Linking them too closely together can only hamper their effectiveness. Thus, the attention that we are devoting to piracy problems today cannot conceal the absolute need to make progress in the political process. In the area of security, the Djibouti Agreement and the first phases of its implementation have provided some hope for progress. However, Belgium cannot fail to note the internal disagreements within the institutions

of the Transitional Federal Government and the fact that the security situation continues to deteriorate despite that progress. Our efforts must be focused on supporting the process under way and must be aimed at persuading all parties in Somalia to unite in the country's interest. The Intergovernmental Authority on Development and the International Contact Group are working to that end, and the international community as a whole should contribute to that effort.

With regard to peacekeeping on the ground, my delegation has reiterated several times that a United Nations peacekeeping force is inconceivable without sufficient political will on the part of Somali actors themselves and at least the beginning of peace to support.

As for the idea of a stabilization force, that essentially depends on the willingness of certain States to assume that responsibility, as the Secretary-General just emphasized. The African Union has been very courageous in assuming that burden by sending the AMISOM forces. It is urgent that AMISOM be strengthened and supported, as the Secretary-General just suggested in his statement.

Aware that combating piracy is essential but that it also involves broader interests, and aware of the particular situation in Somalia, we believe that important work remains to be accomplished first at the political and security levels. With that in mind we voted in favour of the resolution.

Mr. Ettalhi (Libyan Arab Jamahiriya) (*spoke in Arabic*): Once again we welcome your presence, Sir, and thank you for presiding over the Council. We also wish to welcome Their Excellencies the Ministers and His Excellency the Secretary-General and to thank him for his statement. The Council is meeting today to consider the situation in Somalia and the mounting acts of piracy off its coast during the last months of the year.

It is important that we benefit from the momentum created and use the international solidarity that developed lately in the form of several initiatives — notably, the International Conference on Piracy around Somalia, which took place in Nairobi in December 2008 — and move beyond the limited points of view and partial reactions and seek a comprehensive solution to the problem in Somalia.

It is well-known that Somalia has been in a state of instability for the last two decades, which has led to the collapse of State institutions and the rule of law. That situation has exacerbated the suffering of the Somali people, whose lands and waters have been appropriated. The piracy incidents have threatened the assistance programmes that were set up for the Somali people, in addition to the effects on other countries overlooking the Red Sea and on the security of international maritime navigation in the region.

We believe that we must deal with the political situation in Somalia — as that is the situation that has led to all of the problems — in a comprehensive manner that addresses the root causes of the crisis, and we must not limit our efforts to the symptoms and repercussions of the problems. Those problems must be dealt with in a manner that promotes and expands the political process and ensures the implementation of what has been and will be agreed upon, in particular the recent Djibouti Agreement.

During the past few months, the Council has focused on combating piracy. Considerable efforts have been expended to reach consensus on several important resolutions, which represent undoubtedly positive and commendable efforts. Yet, it must not be forgotten that Somali piracy as a phenomenon, as it has been discussed, clearly resulted from the collapse of the Somali State and the attendant consequences of that collapse, such as the lack of security and the deterioration of humanitarian conditions. Thus, the most effective solution to the problem of piracy requires a comprehensive approach in which the efforts of the international community would join regional efforts and would begin by improving the security situation by providing effective support to the African Union Mission in Somalia (AMISOM). Those actions would be in preparation for an international force with a clear mandate to improve the humanitarian condition of the Somali people and to create an environment conducive to the promotion of the political process and the realization of national reconciliation.

Libya voted for the resolution because it supports all efforts to combat piracy, which is a serious crime that must be stopped and whose perpetrators must be pursued and brought to justice. Yet, Libya is of the view that measures taken by the Council to condemn and combat piracy off the Somali coast must be based on, and must take into account, complete respect for and commitment to the sovereignty of Somalia, its

territorial integrity and its political independence. Such measures must also be taken in coordination with AMISOM in the field and pursuant to the provisions of international law, in particular the 1982 United Nations Convention on the Law of the Sea.

Needless to say, the measures — including the resolution adopted today — taken to deal with a specific situation have no relation whatsoever to any other situation except the situation in Somalia, and they have been taken without prejudice to the rights and obligations of other States, in conformity with international law and without establishing a new international norm.

In short, measures to combat piracy must, in our view, seek to enhance the leading role of the United Nations and must confirm to the rules and principles of international law and all of its sources, including the Charter.

Mr. Kumalo (South Africa): My delegation is indeed honoured to participate in this important debate and wishes to acknowledge the presence of the ministers who are with us in the Council Chamber today. We also welcome the presence of the Secretary-General and the Minister for Foreign Affairs of Somalia with his delegation.

It is a good day for Somalia today, and Somalia does not have too many good days. But I am brave enough to say that today is a good day for Somalia, having listened to the concrete proposals that have been made in the statements made before mine. But let me begin by acknowledging that there is no doubt that piracy in Somali waters has caught the world's attention.

The resolution that the Council adopted today comes shortly after resolution 1846 (2008), which deals with the same issue. The Monitoring Group on sanctions with regard to Somalia concluded that piracy had already become a multi-million-dollar industry involving over 2,000 people and using over 60 small boats and several mother ships. The Monitoring Group told the Council that the pirates had earned enormous amounts of money, estimated to be more than $100 million in the past years.

Yet, as my delegation has always argued, piracy is only one of the symptoms of the root causes of the Somali conflict. There are other Somali grievances, including illegal fishing in Somali waters by foreign ships and illegal dumping of toxic waste off the Somali coast, which have been invoked by the pirates to build general support for their activities among Somali society.

Clearly, what Somalia needs urgently is for its tragic situation to be addressed in a comprehensive and holistic manner. In other words, Somalia needs a political solution that will lead to the establishment of a reliable Government authority in that country. Of course, we should at the same time address piracy as we have done today. We should also address the proliferation of arms, impunity and other serious violations taking place in Somalia.

The Djibouti Agreement that brought together the Transitional Federal Government with the Alliance for the Re-Liberation of Somalia is an important building block in the political process. It is now up to the international community to support the Djibouti Agreement in order to allow the political process to take root in Somalia.

Regarding security stabilization on the ground, the Security Council must fulfil its Charter responsibility for the maintenance of international peace and security in Somalia. As one who has always accused this Council of avoiding its responsibility, listening today I am beginning to change my mind. Maybe because I am about to leave I am becoming nice.

The African Union has contributed to the African Union Mission to Somalia (AMISOM) to help support the Transitional Federal Government. We call on the international community to support AMISOM if it is to make a difference in the lives of the Somali people. Without strengthening AMISOM, we will not achieve the results that we need. That must include predictable and reliable resources, beyond voluntary contributions, that can increase or decrease depending on the economic climate of the time. That is why I support the statement by United States Secretary of State Rice calling for consideration of a United Nations peacekeeping mission in Somalia. I think that this is an important issue that this Council would need to debate. I heard one speaker say today that we need a trust fund. How can a war be fought with a trust fund, which can grow or decrease, depending on the contributions that are made?

Otherwise, the Council can adopt the toughest resolutions possible on piracy; it can even strengthen

the arms embargo and aim the most stringent measures at individuals and entities that may be seen as obstructing the process in Somalia; but such fragmented efforts are unlikely to succeed without a comprehensive solution for the country. And without Council action — without the Council even looking into the possibility of deploying a peacekeeping force in Somalia — Somalia will continue to sink further and further into despair. Surely, the people of Somalia deserve better than that.

Mr. Natalegawa (Indonesia): Mr. President, I thank you for convening this important meeting. We wish to convey how honoured we feel to see you presiding over our work. We also warmly welcome the participation of the Secretary of State of the United States, the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, the Minister for Foreign Affairs of the Russian Federation, the Vice Foreign Minister of China and the Foreign Minister of Somalia in today's debate. We greatly value the statement that was made by the Secretary-General just now.

This meeting is an important opportunity to reinforce international support for comprehensively addressing the problem of piracy and armed robbery off the coast of Somalia and thereby prevent it from growing further as a threat to humanitarian assistance to that country and to international navigation in the area.

Over two years have elapsed since the Security Council first engaged the Somalia piracy issue in its presidential statement of 15 March 2006 (S/PRST/2006/11). Incidents of piracy have grown exponentially since that time, in tandem with the worsening security situation in Somalia itself.

Indonesia condemns all acts of piracy and armed robbery off the coast of Somalia. We welcome the fact that the challenge of piracy has generated action in the region, both by regional countries and by international organizations. We highly commend these concerted efforts. Indonesia also extends its strong support to the flag States and others that have already fallen prey to those illegal acts.

On the other hand, we need also to acknowledge that piracy is not a stand-alone problem. It is, rather, a symptom of a more fundamental challenge, and its durable resolution lies not in the territorial or high seas, but on the land mass of Somalia itself. The twin problems of lawlessness and anarchy in the territory of Somalia, compounded by a lack of governance and law enforcement, need to be addressed urgently.

Thus, we wish to reiterate our strong support for the political process under the leadership of the Special Representative of the Secretary-General for Somalia. We u[illegible] the full implementation of the Djibouti Ag[illegible]ent by all parties in the country. We associate ou[illegible]elves with the call for unity within the Transitional Federal Government.

We share the view that the Security Council's strong support needs to be manifest in the provision of an effective presence of a peacekeeping operation. We commend the African Union for its continued leadership through the African Union Mission in Somalia. More needs to be done to support the African Union, including through additional financial, logistical and technical support. We certainly cannot be indifferent to the African Union's request.

In the immediate term, we recognize the value of the participation and contribution of Member States to deterring and countering piracy in the waters off the coast of Somalia. Strong coordination among the naval vessels located off the Somali coast, as well as among littoral and other States, is essential, as recognized in the resolution we have just adopted.

However, above all, the situation in Somalia calls for a political solution. Only thus can we address the various manifestations of the crisis, including the threat of piracy.

Mr. Weisleder (Costa Rica) (*spoke in Spanish*): I would like to begin my statement by thanking you, Sir, and your delegation for your initiative to organize this meeting to consider the challenges posed to providing assistance to Somalia in its fight against piracy and armed robbery. I would also like to thank the Secretary-General for his presence, which is a sign of his clear support for the actions of this Council on this issue. We would also thank the Secretary of State of the United States, the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, the Minister for Foreign Affairs of the Russian Federation and the Vice Foreign Minister of the People's Republic of China. Finally, I would also like to thank the Minister for Foreign Affairs and International Cooperation of Somalia for his presence.

Costa Rica appreciates the persistent efforts that have been undertaken in the context of the national reconciliation process by the Government and the people of Somalia to achieve lasting peace and stability. In that context, the full implementation of the Djibouti Agreement must be a priority. However, we are deeply concerned by the deterioration of the situation in Somalia, which is facing the challenge of establishing, with scarce resources, the peace and stability necessary to eradicating piracy, robbery, kidnapping and widespread violence. Persistent political instability is the main obstacle to reversing this state of affairs and guarantees near-total impunity for those who break the law.

This year, the international community has focused on the development and implementation of substantial measures to combat piracy, one of the most visible manifestations of the complex problem in Somalia. These piracy activities have surged exponentially this year. The vast profits derived from ransom exceed the value of resources Somalia has devoted to combating piracy and have fostered the growth of the scourge.

Over the past six months, the Security Council has adopted three resolutions exclusively addressing the situation in Somalia and calling on Member States of the region with the capacity to do so to cooperate among themselves and with the Transitional Federal Government in combating piracy and armed robbery at sea off the coast of Somalia. Those resolutions also address other legal issues. Today, we have adopted yet another resolution broadening the scope of implementation of measures to combat piracy in Somali territory and adding measures for the gathering of evidence and the prosecution of the perpetrators of those acts.

In stressing the issue of piracy, we have almost forgotten the efforts to address the fundamental issue of creating the conditions necessary to improving the political, security and humanitarian situations in Somalia. In that regard, we welcome the manifest readiness of the United Nations and the international community as a whole, and the neighbouring countries of Somalia in particular, to assist the parties in every possible way in consolidating progress in those areas.

We agree that there is an urgent need to stem the threat posed by piracy and armed robbery in Somalia to maritime transport, international trade and, above all, humanitarian relief for more than 2.5 million people. At the same time, we are aware that, while anarchy persists in that country, all the acts of violence we have seen on a daily basis will continue.

My country respects the sovereignty, political independence, unity and territorial integrity of Somalia. We believe that respect for those principles and mindfulness to the requests of the Somali Government and the express consent of that Government to every action that is decided must be our points of departure when formulating the appropriate response in the fight against piracy and armed robbery off the coast of Somalia, in accordance with international law and, in particular, with the 1982 United Nations Convention on the Law of the Sea.

My delegation believes that any initiative relating to maritime security must be supported by joint and coordinated international technical assistance to Somalia, neighbouring coastal States and the region. In that regard, we welcome the initiatives of countries of the region and international organizations such as NATO to combat piracy off the coast of Somalia, in compliance with the relevant resolutions and applicable international law. We therefore welcome the recent deployment of the naval Operation Atalanta by the European Union to protect the maritime convoys of the World Food Programme transporting humanitarian assistance to Somalia and other vulnerable vessels, and to repress acts of piracy and armed robbery at sea off the coast of Somalia. We urge those countries that are able to do so to join in those efforts.

We should also like to commend the delegation of the United States for preparing a unanimous resolution on such a complex issue through dedicated and painstaking work and flexibility. We also thank all other delegations that have contributed through their flexibility to enabling the adoption of a resolution on such a complicated subject, especially to the benefit of the 2.5 million people whose daily lives have been affected.

Finally, we commend the African Union Mission in Somalia (AMISOM) for its stabilizing presence, in particular in Mogadishu. We believe it important for the international community to provide the necessary financial and logistical support to strengthen AMISOM so as to ensure that it can effectively meet its responsibilities, without prejudice to any decision to be

taken shortly by the United Nations on how to maintain its presence in Somalia.

Mr. Kafando (Burkina Faso) (*spoke in French*): At the outset, I welcome the participation in our debate of the ministers present with us today and the Secretary-General.

At a time when the international community is striving to reach agreement on the best way to address the political challenges and the various manifestations of armed violence to which Somalia has been subject since 1991, the emergence of the criminal enterprise of maritime piracy has further complicated the situation. That is why we must all work together to eliminate that new scourge as soon as possible. My delegation therefore thanks the United States and Croatian delegations for their initiative to call this meeting on piracy in Somalia.

During the first half of 2008, the International Maritime Organization had already reported an almost 70 per cent increase over all of last year in acts of piracy along the Somali coast. The scope of the piracy and armed robbery at sea and its increasingly sophisticated methods require the international community to act. Having supported resolutions 1816 (2008), 1838 (2008) and 1846 (2008), my delegation voted in favour of resolution 1851 (2008) today.

However, while recalling that the United Nations Convention on the Law of the Sea must remain the legal framework for combating piracy in general, we sincerely believe that the increase in the number of attacks is primarily the result of the ongoing deterioration of the overall situation in Somalia. Thus, no effort to combat piracy can succeed unless it addresses the tragedy of Somalia as a whole. Aware of that truth, the African Union, having closely followed the situation in Somalia, has launched numerous initiatives to support Somali efforts to move towards peace and reconciliation and to mobilize the international community.

Thus was established the African Union Mission in Somalia (AMISOM), giving effect to Africa's resolve to assume its responsibilities to help settle the problem of Somalia. Since its establishment, AMISOM has worked tirelessly in extremely difficult circumstances to discharge its mandate. My delegation takes this opportunity once again to congratulate and thank Uganda and Burundi for their invaluable contributions to AMISOM and all States and organizations that have supported it.

Unfortunately, despite its unwavering commitment and the loss of several soldiers, the lack of human and logistical resources have severely limited AMISOM. If the prevailing situation persists, there is a real and serious danger that the Mission could be forced to withdraw from the country, as certain sorry indications to that effect have suggested for some time. While no one can predict all of the consequences of such a development, we can be certain that they would be deeply tragic for Somalia, the region as a whole and the entire international community. A withdrawal by AMISOM would certainly lead to the further deterioration of the security and humanitarian situation and leave the field free to the forces of chaos. That would sound the death knell for the current political process and ring in a new state of lawlessness in Somalia.

Thus, we need to save AMISOM by strengthening it, but also work towards the subsequent deployment of a peacekeeping force in Somalia, as the United States delegation suggested.

AMISOM is an invaluable tool, the pillar upon which the United Nations can build a future international presence in Somalia. But in order to do so, it must enjoy the financial and logistical support that it needs, so that it can first remain on the ground and then discharge its mandate and effectively support the implementation of the Djibouti Agreement. Burkina Faso reiterates the need for a positive response to the request of the African Union to strengthen AMISOM. We would like to recall that in its resolutions 1772 (2007) and 1814 (2008) and in its presidential statement of 19 December 2007 (S/PRST/2007/49), the Security Council called on the Secretary-General to consult with the African Union with regard to additional support and to continue to develop the existing plans for the possible deployment of a United Nations peacekeeping mission that would take over from AMISOM.

In that regard, we urge the Security Council to fully shoulder its responsibility to help Somalia, a Member State of the United Nations that has been suffering from a devastating civil war for over 10 years. No one today can reasonably question the difficulties in security and political terms, but that is

precisely what justifies a resolute international commitment.

We owe it to the Somali people, hostage to the situation and primary victims of the war. Since the signing of the Djibouti Agreement on 19 August 2008, and as stressed in the report of the Secretary-General of 17 November 2008 (S/2008/709), despite the ups and downs inherent in the coexistence of parties of often conflicting views, there is no doubt that the Somalis themselves are now committed to emerging from the crisis.

In conclusion, Burkina Faso reiterates its strong condemnation of the criminal activities of the pirates off the coast of Somalia and supports the general mobilization of the international community to find the most appropriate solution.

Solving the crisis in Somalia is a test for the United Nations in general and for the Security Council in particular. We very much hope that the same political will that inspires us today with regard to suppressing maritime piracy may support our action in resolving the whole Somali issue.

Mr. Hoang Chi Trung (Viet Nam): At the outset, Sir, on behalf of the Vietnamese delegation, I would like to thank you for chairing this important meeting. We acknowledge the presence of the high-ranking officials around the table and in the Chamber. My delegation wishes to welcome in particular the Foreign Minister of the Transitional Federal Government of Somalia. We also thank the Secretary-General for his comprehensive presentation on the situation in Somalia.

On a number of occasions, my delegation has expressed its deep concern about the worsening political, security and humanitarian crisis in that war-torn country. In fact, there are ample reasons to believe that there is a very close linkage between security, reconciliation and humanitarian aid.

In our view, what is now needed in Somalia is simultaneous action on both the political and the security fronts. Without any doubt, the primary responsibility for resolving the political and humanitarian crisis rests with the Transitional Federal Government (TFG) and the Somalis themselves. However, we believe the international community could, and should, focus their efforts on the political and security fronts, in which the establishment of a unity Government and a safe and secure environment for it to function in is the key to lasting peace and stability in Somalia.

In that regard, we call upon the leaders of the TFG to make serious efforts to work together towards the strengthening and enlarging of the transitional federal institutions. We also urge all other Somali stakeholders to renounce violence and to join the Djibouti peace process, so that Somalia will soon be able to stabilize itself for the sake of the Somali people.

In view of the gravity of the problems of piracy and armed robbery off the coast of Somalia, the Security Council has devoted much attention to finding ways and means to address those grave threats to the security of international maritime navigation in the region, including the delivery of humanitarian aid to the people of Somalia. Two resolutions that introduced a number of measures to combat those criminal activities have been adopted by the Council in the last six months.

Viet Nam strongly condemns all acts of piracy and armed robbery against vessels at sea, including those in the waters off the coast of Somalia. We have engaged constructively in the concerted efforts of the Security Council in that regard. We comment the initiatives undertaken by many countries and regional and international organizations to counter piracy in Somalia pursuant to those resolutions. It is our conviction, however, that the problems of piracy and the lawlessness at sea off the coast of Somalia will not be solved if their root cause — lack of peace and stability in the country since 1991 — is not squarely dealt with.

Piracy and armed robbery in the waters off the coast of Somalia exacerbate the situation in the country, which is a threat to international peace and security. Therefore, my delegation wished to stress the need for the international community, with the cooperation of the United Nations and the African Union, to engage more actively in Somalia with a view to developing an integrated and comprehensive approach in the interests of peace, stability and development in that country. We also support the request of the TFG, as reflected in the letter of 9 December 2008 from the President of Somalia for further assistance from the international community in combating the scourge of piracy.

By way of conclusion, my delegation wishes to emphasize that any action or measure taken in relation to Somalia, including fighting piracy, must respect fully the sovereignty, territorial integrity, political independence and unity of Somalia. They must also be in conformity with relevant United Nations resolutions and international law, including humanitarian and human rights law.

Mr. Arias (Panama) (*spoke in Spanish*): First of all, Sir, allow me to thank you for having convened this important meeting on Somalia and the piracy that affects its coast and international peace and security. For that reason, Panama supported the resolution adopted by the Security Council, while remaining aware of its scope and that the international community must ensure that it is implemented fully in accordance with international law.

Somalia is more than an untamed coast. It is a country whose citizens barely survive amid the most abject poverty, caused by years of wars, drought and political uncertainty. There is no doubt that the piracy that it is currently suffering is a symptom, and not a cause, of the insecurity of Somalia.

For that reason, the international community must use all means available to it to achieve peace and stability in Somalia. Until the United Nations establishes the most appropriate mechanisms to address the situation, Panama repeats that it is essential that this Organization, and not simply a few countries in particular, support the efforts of the African Union Mission in Somalia (AMISOM). Currently, AMISOM is the only hope for bringing peace, stability and development to the people of Somalia.

Finally, Panama is grateful for the commitment of a number of States Members of this Organization and regional organizations to undertake operations along the Somali coast with a view to combating the acts of piracy, which are affecting the region and the entire world.

The President: I shall now make a statement in my capacity as the Prime Minister of Croatia.

Allow me to start by thanking Secretary of State Condoleezza Rice and the delegation of the United States of America for requesting this meeting on the situation in Somalia, aimed at considering further efforts that the Security Council can and should make in combating the scourge of piracy and armed robbery off the coast of Somalia. I would also like to mention the contributions of all the representatives who took the floor in this meeting. I consider their statements to be additional confirmation of the importance that we all attach to the grave situation in Somalia and the Gulf of Aden.

In today's discussion, we have addressed a serious problem that links various key aspects of the work of the United Nations, from humanitarian elements to the impact this problem has on international trade, and from the overall situation in one of the most troubled spots in Africa to the consequences that this instability might have on the regional and global levels.

Over the past few months, we have heard some very worrisome statistics from the Special Representative of the Secretary-General, Mr. Ould-Abdallah, which clearly point towards a steep increase in pirate activities off the coast of Somalia. In 2008, acts of piracy in that region have doubled in comparison with the figures from 2007. These statistics reveal that piracy and armed robbery in the western Indian Ocean have become an increasing threat. In examining these figures, we should always take into consideration that behind these statistics are real people, who are the actual victims of pirate attacks.

Allow me to mention here that three Croatian citizens, from the cities of Rijeka and Dubrovnik, have been kidnapped by pirates off the coast of Somalia over the past few months. While two have been released in recent weeks, one of them is still being held hostage. The terrifying ordeal that he and his family are enduring reminds us of the suffering of many others and of the much broader implications of piracy for the safety of maritime navigation, international trade and the right of every nation to secure its development in an international framework of peace and security.

Furthermore, it reminds us of the devastating impact that piracy is having on the dire humanitarian situation in Somalia. The lifeline for an estimated 2.5 million people affected by drought and the food crisis in general is being cut off by the actions of pirate militias. For Croatia, this is an absolutely unacceptable situation. I am confident that I can also speak for the entire international community when I say that this is an unacceptable situation.

In this respect, I am convinced that today's constructive and timely deliberations have been instrumental in bringing the international efforts to a new level of commitment and more effective coordination. We welcome the resolution we adopted today, which we believe represents added value to an already solid basis for proceeding in collective anti-piracy efforts, since it addresses many pertinent issues at the operational level that need to be improved, strengthened and further elaborated.

Above all, we attach particular value to the building up of the legal framework to address the handling and prosecution of persons suspected of piracy. It is of the utmost importance that the crime of piracy, like any crime, not go unpunished. It is also important to send a deterrent message and reverse this low-risk, high-rewards trend that we have witnessed over recent months.

In building these additional efforts, I want to stress the importance of the measures already taken by the Security Council, which are reflected in resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1846 (2008) and now in resolution 1851 (2008).

(*spoke in French*)

I would also like to underscore the crucial role played by the European Union in combating piracy and armed robbery. Croatia, as a future member of the European Union, welcomes and fully supports the decision taken this past week by the ministers for foreign affairs of the European Union to launch the first European naval operation along the Somali coast.

While we discuss this matter here in New York, the European Union is today holding a force-generation conference in Northwood, United Kingdom, in order to ensure the successful implementation of Operation Atalanta. Croatia is also participating in that conference in the aim of identifying the most appropriate manner to contribute to that new European Union mission.

(*spoke in English*)

I would also like to stress Croatia's support and appreciation for the prompt response of NATO, through its Operation Allied Provider, in countering piracy off the coast of Somalia and in escorting vessels that are part of the World Food Programme. As a member of the Security Council and a country acceding to NATO, Croatia welcomes the strong cooperation between the United Nations and NATO. The particular case of Somalia demonstrates the significance and importance of this form of cooperation to achieving our common goal of advancing peace throughout the world.

The crucial role of regional organizations acting in accordance with the mandate of the Security Council is certainly reflected in the efforts undertaken by the African Union Mission in Somalia. Croatia commends the key role played by the African Union in facilitating the delivery of humanitarian assistance through the port of Mogadishu and contributing to the establishment of lasting peace and stability in Somalia.

In this sense, we also appreciate the efforts undertaken this past week at the Nairobi conference and the constructive engagement of the countries of the region. Their cooperation is most welcome and should be further encouraged.

While taking stock of what international and regional actors have done so far in countering piracy off the coast of Somalia, we also need to note that more effective coordination is still required. In this respect, we value the ideas and initiatives expressed by some delegations concerning the fact that coordination among the plethora of actors operating in the western Indian Ocean needs to be enhanced in order to better utilize the deployed resources.

As a country with a long maritime tradition, Croatia has been a strong supporter and advocate for such actions by the Council, including through our co-sponsorship of all the relevant resolutions thus far, which we deem to be a solid basis for proceeding in our collective anti-piracy efforts. All of our actions have been guided by the conviction that the Council is duty-bound to find an effective mechanism for suppressing the scourge of piracy off the coast of Somalia.

That being said, I believe that we all share the view that, at this point in time, anti-piracy measures alone will not be enough. Although concrete measures need to be expeditiously agreed to in a coordinated and consistent manner, to focus only on the question of piracy without taking into account the wider picture in Somalia and the complexity of its decades-long civil conflict would be misleading. We do, however, expect that the efforts being undertaken by Member States and the regional organizations, which we fully support and highly value, in the framework of the Security

Council's relevant resolutions will produce tangible results in the theatre of operations.

Croatia also supports the active role of the Secretary-General, including the sustained engagement of his Special Representative for Somalia, Mr. Ould-Abdallah, in giving visibility to the issue and in generating more support for ongoing efforts to alleviate the negative consequences that piracy is having in that region.

In conclusion, as I have already mentioned, we are fully aware that the eradication of the scourge of piracy off the coast of Somalia will require a broader and more comprehensive approach on the part of the international community by focusing on the root causes of the conflict plaguing Somalia over the past two decades.

My country stands ready to contribute to further efforts by the Council to find and implement such a comprehensive approach. In that regard, I would like to conclude by also stressing the importance of local ownership and the crucial role of Somali leaders in cooperating with the international community in the efforts to secure peace, stability and development.

I now resume my functions as President of the Council.

I now give the floor to His Excellency Mr. Ali Ahmed Jama Jengeli, Minister for Foreign Affairs and International Cooperation of the Transitional Federal Government of Somalia.

Mr. Jengeli (Somalia): I take this opportunity to thank you, Mr. President, the Secretary-General and all those who have in one way or another urged the Security Council to take urgent, relevant and bold action to end the 18-year agony of the Somali people.

Once again, the situation in Somalia is under discussion by the Security Council. At the very outset, the question is: Will the outcome be any different this time? I hope that my participation in this meeting of the Council will help it to focus both on the problem of piracy, which the Council is considering today, as well as on the bigger picture in Somalia. I have been heartened by the statements that I have heard today.

Let me now turn to the problem of piracy in the Gulf of Aden and along the Somali coast. Because of the recent surge in acts of piracy, there has been significant coverage of this subject by the international mass media. My Government strongly condemns those criminal acts, which are obviously in violation of international law and the United Nations Convention on the Law of the Sea. These acts of piracy are categorically unacceptable and should be brought to an end.

As all members are aware, Somalia has no capacity to interdict or patrol its long coastline to ensure the security of sea lanes. But we have indeed cooperated with the international community in the fight against piracy. We will continue to do so fully, now and in the future. That is why we have supported the implementation of the numerous resolutions on the problem of piracy off the coast of Somalia. That is also why we support resolution 1851 (2008), which the Council has just adopted.

Let me also stress to the Council the importance of adopting a comprehensive and holistic approach to the Somali problem, as piracy, terrorism and the humanitarian emergency are part and parcel of the bigger Somali problem. Indeed, piracy and terrorism are merely the symptoms of the greater malaise of the Somali body politic since the collapse of the central Somali Government in 1991. If we accept that premise, I hope we will have no difficulty in seeing the real way to tackle both piracy and instability in Somalia.

Without going into too much detail, the only sustainable way to solve the problem of piracy and other ills is to concentrate on the medium and long terms, and not just on the short term. The most effective and relevant way to do so is for the Security Council, first, to take immediate and relevant measures — hopefully before the end of the year, when the mandate of the African Union Mission in Somalia (AMISOM) is to be reviewed — to authorize a robust peacekeeping operation to assist in the restoration of peace and stability and to build local capacity. The undermanned AMISOM contingent could become the nucleus of that new United Nations force.

Secondly, the Council should strengthen the Somali State by strengthening its security forces through the provision of resources, training and equipment.

Thirdly, the Council should boost the political process currently under way in Djibouti, as it is the only viable and credible option we now have.

If that is done right and implemented with competence, urgency and integrity, any acts of lawlessness in Somalia, including piracy, can be taken care of. Other areas of urgent concern in need of assistance include political mediation, reconciliation, socio-economic development and humanitarian assistance. But surely assistance in reconciliation and security needs is the most important and urgent.

I wish to reaffirm to the Council that the Transitional Federal Government of the Somali Republic is fully committed to the implementation of its mandate, in particular the functions envisaged under the Transitional Federal Charter, as well as to the onerous task of reconciliation in the country, despite setbacks and daunting natural and man-made challenges. I would like to dwell for a moment on the goal of reconciliation.

We are in the process of implementing the Peace and Reconciliation Agreement between the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia, which was originally signed in Djibouti on 19 August 2008. We recognize that there have been delays and difficulties along the way, but that comes as no surprise to us. After all, we have been in a state of conflict since the collapse of the central Government in 1991. In our view, resolve and firmness are needed to successfully conclude the process and to implement the Djibouti Agreement if the country is to be saved. Any technical difficulties or objections should be addressed within the process; but implementation must proceed immediately and without delay.

In that regard, I would like to inform the Council that the cabinet today endorsed the Djibouti Peace Agreement. The Transitional Federal Parliament will consider it tomorrow. The first meeting of the Joint Security Committee also took place today in Mogadishu to plan for the 10,000-strong joint Somali force envisaged under the Djibouti Agreement. Those, too, are important developments. The current visit to Mogadishu by Sheikh Sharif is also a positive and welcome development. All those positive developments give us great hope.

The Transitional Federal Government needs to secure its land and territorial waters. It needs to collect taxes. It needs to re-establish meaningful and durable law and order. I submit that that can only be done by a cohesive and united team focused single-mindedly on substantially strengthening the security sector and other State institutions. The lack of such cohesion and unity within the Government and the absence of a reliable security apparatus have indeed led to the breakdown of law and order, thereby having a negative impact on real socio-economic development and creating a catastrophic humanitarian situation. The Djibouti Agreement seeks to rectify many of those things.

That is why I wish to end by urging the Security Council, in no uncertain terms, not to waste another opportunity. We call for the urgent deployment of a fully fledged United Nations peacekeeping force to enable the forthcoming national unity Government to restore peace and stability and create a secure environment for institution-building and socio-economic development.

Mr. Nishimura (Japan): At the outset, I would like to express my appreciation to His Excellency Mr. Ivo Sanader, Prime Minister of Croatia, for his initiative to convene this timely and very important meeting of the Council. We welcome the adoption of resolution 1851 (2008) by the Council today and its call for further international collaboration in addressing the issue of piracy off the coast of Somalia. In this connection, we are grateful to the delegation of the United States for its strong leadership on this particular subject.

The area off the coast of Somalia and in the Gulf of Aden is a critically important sea lane connecting Europe, the Middle East and East Asia. Given this fact, those carrying out the incidents of piracy and armed robbery at sea in this region, which are unique in their gravity, frequency, number of affected countries and negative effect on the situation in Somalia and the peace and security of the region, are quite literally common enemies of the human race — *hostes humani generis* — in today's world. It is therefore essential that the international community address this issue in a determined and concerted manner.

In this connection, we welcome the recent initiatives of the Security Council to suppress acts of piracy in the region, as demonstrated by the adoption of a series of resolutions this year. We also wish to pay tribute to the efforts of those countries that have been deploying naval vessels in the region. In addition, we cannot overemphasize the importance of coordination in combating piracy and thus we strongly hope that the

countries and organizations concerned will take unified and collaborative action to that end.

As a maritime State and a trading nation, Japan attaches great importance to ensuring the safety of marine navigation and security at sea, including through anti-piracy measures. Clearly, these matters are directly linked to the survival and prosperity of our country. The issue of piracy is both a challenge for the international community and a matter related to the protection of the lives and assets of our own citizens. We are therefore gravely concerned about the dramatic increase in acts of piracy and armed robbery off the coast of Somalia and recognize that measures to tackle this problem are urgently required.

In this context, the Government of Japan has been seriously studying the issue of piracy among its relevant ministries and agencies with respect to what new laws we should develop and what actions we can take under the existing legal frameworks. These are some of the questions that we have been addressing. It is our intention to take measures in a prompt and effective manner, beginning with what we can do now. We also plan to provide capacity-building assistance for the countries neighbouring Somalia.

With this resolve in mind, it is our intention, once an appropriate international cooperation mechanism on the issue of piracy off the coast of Somalia has been established, to join at its inception and actively participate in the discussions within the framework. In this connection, I wish to note that Japan has gained practical experience in this area through its initiative to realize the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). It is our belief that, with this background, we can provide useful expertise with regard to the possible creation of a cooperative framework similar to ReCAAP in the region neighbouring Somalia.

Finally, allow me to reiterate that efforts to suppress acts of piracy are urgently needed from the point of view of the safety of maritime navigation and the protection of human lives and assets. At the same time, I must stress that the genuine resolution of the issue of piracy off the coast of Somalia requires peace and stability in the country. The African Union Mission in Somalia has been making tireless efforts towards that goal and we would like to express our respect for its admirable endeavours under difficult circumstances. We, for our part, will extend our support to the fullest extent possible for the Somali peace process initiated by the Djibouti Agreement. Japan, which will become a non-permanent member of the Council in January, is determined to contribute in a proactive way to peace and stability in Somalia.

Mr. Tassoulas (Greece): Greece expresses its appreciation and support to the Security Council initiatives and resolutions for a more coordinated and thus more active and efficient international response to the phenomenon of piracy off the Horn of Africa. Greece is extremely concerned by the proliferation of acts of piracy in this area, which has affected the safety of international navigation. Crews are at stake and the costs are piling up with higher insurance fees and fuel payments and millions of dollars in ransom demands. It is in this spirit that Greece supports this initiative.

With resolutions 1816 (2008), 1838 (2008) and 1846 (2008), the Security Council expressed in clear terms the political will of the international community to combat the scourge of piracy. My country participates in this international endeavour to monitor navigation in the affected area, to provide protection to the shipping and safe delivery of humanitarian aid, and to deter piracy off the Somali coast. We participate in Operation Atalanta, the first naval operation of the European Union, with one frigate and its operational helicopter. This Operation is scheduled to last one year. Greece has been appointed to the position of Force Commander and Staff for the first four months, which began one week ago on 8 December. We have also participated with one more frigate in Operation Allied Provider.

With the Security Council resolution just adopted and the encouragement of the formation of an international cooperation mechanism, we consider that the international community is endowed with the necessary mechanisms for coordination and cooperation on all aspects of combating piracy off Somalia, in accordance with international law. Greece, as a major maritime Power, is ready to participate in this initiative. In our view, it is also essential that States adopt the necessary domestic legislation attributing jurisdiction to their judicial authorities and courts enabling them to prosecute and try individuals engaged in acts of piracy.

We express our appreciation to the Transitional Federal Government of Somalia for its spirit of

cooperation and partnership in this international endeavour. In return, the international community should help Somalia achieve stability. Greece believes that peace and stability in this country should be promoted through a three-fold approach. First, there must be effective cooperation among all parties involved through the Djibouti process and full implementation of United Nations resolutions. Secondly, existing structures and available means of the African Union should be enhanced and upgraded, in order to strengthen its capacity to respond autonomously and in conformity with international law to crises like those we face in Somalia. Thirdly, and last but not least, we must spare no effort in ensuring the delivery of humanitarian aid to the population of Somalia, gravely affected by endless conflict, political instability, displacement and drought.

The President: I now give the floor to the representative of Norway.

Mr. Wetland (Norway): We meet here in New York knowing that the situation in Somalia is deteriorating. This morning, we met in the Contact Group for Somalia, addressing the political process that may lead towards stability and legal authority or, if it fails, plunge Somalia even deeper into lawlessness.

Here, piracy is the issue. We have a dramatic symptom, we have a set of root causes and we need to address both. Piracy off the coast of Somalia is escalating. It is a threat to international trade, to the freedom of navigation and to what that freedom means to our prosperity. It is a grave threat to the countries and peoples in the region, who will suffer the consequences of failing supplies. And let us not forget — this scourge is a telling sign of the lawless misery that continues to haunt the people of Somalia.

Norway is gravely concerned. We condemn all acts of piracy. We need to act against piracy, as well as the roots of piracy. We greatly appreciate the efforts of all countries and regional organizations that actively take part in combating this crime off the coast of Somalia. We also commend the Transitional Federal Government for its attitude of cooperation with the international community. We pay tribute to the Security Council for its leadership and for adopting resolutions 1816 (2008), 1838 (2008), 1846 (2008) and now, today, 1851 (2008).

Norway is a shipping nation. One thousand Norwegian-owned ships pass through the Gulf of Aden every year. We are open for requests for technical assistance and Norway is ready to make a contribution to the naval operations in the area in 2009.

We must cooperate to apprehend pirates and to bring them to justice, and we must do this within the framework of international law, including applicable human rights standards. Furthermore, the more ships that are made available to naval operations, the greater is the need for proper organization and coordination. A clear United Nations role should be explored.

The existence of piracy off the coast of Somalia has its roots in the situation on Somali territory. A long-term sustainable solution to the problem of piracy will be difficult to achieve without improving stability on land. An improvement of that situation seems to be far from imminent, and that is why today the Council is authorizing special measures against those who undertake acts of piracy, threatening lives as well as lifelines, security interests, commercial interests and an important part of civilization.

The measures authorized must be in accordance with international law and humanitarian principles. It is a principled decision, but not an easy decision. But a decision to the contrary now would somehow send the message that States with broken security sectors may be used as safe havens for pirates. And that we cannot accept.

The efforts to resurrect Somalia must continue with full force. Millions of people are in need of humanitarian aid and more than a million are internally displaced. Norway commends the regional efforts of the Intergovernmental Authority on Development to sustain the political reconciliation process in Somalia. We take note of the decision of the Government of Ethiopia to withdraw its troops from Somali soil. This decision also means a great challenge, both to the African Union and to the international community, to assist the Somalis in avoiding a new security vacuum in the country until such time when the Somali institutions themselves may be able to provide the necessary security and stability to their people. We therefore urge the Security Council to address this challenge with speed and determination, so as not to cause any undue delay in the Djibouti peace process.

Norway shall continue to be an active partner in the international efforts to bring about peace and stability to Somalia, as well as to assist the people in need. The Somali leaders and the Somali people should

know that the international community is ready to assist, but they should also know that it is only the Somalis themselves who can make the necessary decisions to steer the country in the right direction.

The President: I now give the floor to the representative of Turkey.

Mr. İlkin (Turkey): Turkey is deeply concerned by the proliferation of acts of piracy and armed robbery at sea off the coast of Somalia, which have recently spread to a much larger area.

So far, two Turkish commercial vessels have been hijacked and both are still being held hostage by the pirates. We are worried about the safety and well-being of the crew of these ships, as well as those of all other hijacked vessels. We condemn all these barbaric acts, which pose a serious threat not only to international maritime safety, but also to the prompt, safe and effective delivery of humanitarian aid to Somalia.

We are aware that we may not be able to totally eradicate piracy until and unless the prevailing conditions in Somalia improve drastically, yet we cannot remain idle until that is achieved. We have to suppress piracy and armed robbery as much as we can to create a synergy among all countries and regional and international actors concerned and by addressing all dimensions of the problem, including the legal dimension.

Turkey closely follows and supports all initiatives to this end. Turkey has allocated a frigate to the standing NATO maritime group and it has also been invited to force-generation consultations for the European Union Operation, Atalanta.

Turkey fully recognizes the need for robust international cooperation, and we are pleased to see that the Council is actively seized of the matter. In this regard, the adoption of resolutions 1846 (2008) and 1856 (2008) reflect the determination of the United Nations and the Security Council to take the lead on this critical issue. These two resolutions, along with previous ones, will help clear up the ambiguities around the interdiction and prosecution of pirates and the related legal and procedural challenges that undermine international efforts to suppress piracy. They provide clear guidelines to be followed.

Today's resolution encourages, inter alia, all States and regional organizations fighting piracy off the coast of Somalia to establish an international cooperation mechanism to act as a common point of contact between States and regional and international organizations on all aspects of combating piracy. We believe that the United Nations itself should assume overall responsibility for guiding and coordinating all these operations. In this framework, we welcome the announcement by the Secretary-General on the appointment of a focal point as an initial step.

Acts of piracy and armed robbery in the waters off the coast of Somalia further aggravate the situation in that country, which continues to constitute a threat to international peace and security in the region. A lasting solution to the problem can be found only if anti-piracy efforts are complemented by concrete policies and measures that will contribute to the establishment of law and order as well as sustained economic development in Somalia. In that regard, we commend the cooperative attitude displayed by the Transitional Federal Government of Somalia. Nevertheless, the ongoing efforts at the national level should be intensified.

Let me also add that, while taking the measures necessary to combat piracy, we must also start thinking about how the hostages currently held by pirates in Somalia can be liberated. An effective remedy in this regard would also help break the vicious cycle of ransom payments and piracy.

In conclusion, I would like to say that, as an elected Member State which is going to take its place in the Security Council in two weeks' time, Turkey will continue to closely follow and remain seized of the matter.

The President: I now give the floor to the representative of Sweden.

Mr. Lidén (Sweden): First, let me express my strong concern for the deplorable situation of millions of men, women and children in Somalia who have, for such a long time, endured violent conflict and hardship. I urge all parties within Somalia to respect human rights and humanitarian law and to allow humanitarian access.

During the past year, we have witnessed a steady wave of refugees from Somalia trying to cross the Gulf of Aden to Yemen. It is a dangerous and often lethal passage, and yet, so far more than 19,000 Somalis have risked this journey. Hundreds of thousands have fled over land. Over the past year, we have also seen an

unprecedented increase in piracy off the coast of Somalia. Not only have the number of attacks and the number of people engaged in piracy increased, but the attacks have also become more daring. We condemn those acts.

We all know the background: 17 years of armed conflict in Somalia with no end in sight, no functioning Government capable of protecting its citizens or upholding law, and no investments in agriculture or other forms of livelihood for the population. At this stage, a comprehensive approach making use of a wide range of means, including a naval force with an adequate mandate to protect humanitarian deliveries and fend off piracy, is necessary to address the situation. Consequently, Sweden has, pending a parliamentary decision, announced its intention to contribute a navy unit to the European Union-led Operation Atalanta, primarily to protect and escort vessels of the World Food Programme. The European Union (EU) naval operation and other similar operations are important first steps, but we need to reflect further and aim at long-term conflict resolution.

We also need to address the root causes of the intolerable practices of piracy, smuggling and trafficking. We need to support the Somalis in recreating a functioning society that can uphold the rule of law and respect human rights, where young Somalis will have true opportunities that are more attractive than the prospect of becoming criminals or refugees. The alternative could entrench Somalia as a recruiting ground and safe haven for criminality and terrorism.

Sweden would like to reaffirm its strong support for the political process under the Djibouti Agreement, led by the United Nations Political Office for Somalia and Special Representative Ould-Abdallah. That is now the only constructive way forward. It is a process that is owned by the Somali parties and builds on their commitment and responsibility for their own State. It is a process that must become more inclusive and must take firmer root on the ground. The international community must find constructive ways to support that process, including support for increased security and development.

During the past 17 years, many attempts to resolve the crises in Somalia have been carried out and have failed. External involvement has not always been constructive. Hence, the international community must tread carefully and ensure that its actions and the mandates given by the Security Council are in line with and in support of the ongoing efforts to build an inclusive peace in Somalia.

The President: I now call on the representative of Germany.

Mr. Matussek (Germany): Germany welcomes the unanimous adoption of resolution 1851 (2008) as a clear message and a common endeavour of the international community to fight piracy. The European Union is making an important contribution to that end, and my country, Germany, intends to take part in the European Operation Atalanta, which began last week. We very much appreciate the fact that such a substantial commitment by the European Union and its member States for the protection of humanitarian aid and civilian maritime trade has been explicitly welcomed by the Security Council in resolution 1851 (2008).

With many actors involved in the fight against piracy, the need to coordinate all actions off the coast of Somalia will dramatically increase. Germany welcomes the new coordination mechanism provided for in the resolution. We will actively participate in that mechanism and suggest that the following priorities be focused upon: first, sharing information about anti-piracy measures and ensuring that they are executed in a coordinated manner — we must avoid duplication of efforts — and, secondly, finding adequate judicial arrangements for the prosecution of pirates. Piracy is a heinous crime that must not go unpunished. The capacity of law enforcement in the regional context must be strengthened. We should also consider establishing new international tribunals for the prosecution of pirates.

While Operation Atalanta will exclusively combat piracy off the Somali coast, we note that the Security Council provides the international community with further options for combating piracy onshore. We appreciate the fact that such land operations can be conducted only within the specific framework of resolution 1851 (2008) and in agreement with the Somali Transitional Federal Government, thus respecting the sovereignty of Somalia.

While focusing on the immediate urgency of combating piracy with the utmost priority, we must not lose sight of longer-term perspectives for Somalia. It is only by re-establishing and strengthening State

institutions that we will be able to combat the root causes of piracy. Germany is committed to supporting international efforts in that respect. We need a viable, inclusive political process in Somalia and a functioning Transitional Federal Government as a partner in our engagement.

In that context, I would like to express our appreciation for the relentless efforts of the Secretary-General and his Special Representative, Mr. Ould-Abdallah, in bringing together the various parties in Somalia. We urge all actors within and outside the Transitional Federal Government to commit or recommit themselves, in a spirit of compromise and reconciliation, to a durable political solution within the framework of the Djibouti Agreement.

The President: I now call on the representative of Denmark.

Mr. Jølle (Denmark): My Government warmly welcomes the initiative by the Council to hold this special ministerial meeting today in order to address the growing problems posed by piracy off the coast of Somalia. In itself, the meeting underlines how piracy has rapidly developed into a significant challenge to the entire international community. Interventions made here today by ministers and others representing all regions of the world clearly illustrate the widespread political will and determination to fight piracy and, in particular, the need for us to do so in a joint effort.

The problems related to piracy cannot be solved by any one State alone; they need to be addressed by the international community through initiatives that match the severity and urgency of the situation. As expressed in the letter sent last month by my Government to the Secretary-General, we therefore strongly welcome and recognize the important work already undertaken within the framework of the United Nations and the International Maritime Organization, including the recent adoption of Security Council resolution 1846 (2008). We are also pleased to see regional organizations, such as the European Union, NATO, the African Union and the Intergovernmental Authority on Development, taking steps in various ways to join international efforts to alleviate the problems.

For some time now, Denmark has been engaged in the international efforts to combat piracy. As a nation with a large commercial fleet operating globally with a substantial number of seafarers on board, Denmark, for obvious reasons, has a keen interest in intensified international effort in this field. We h contributed by providing maritime military escorts the transport of World Food Programme aid Somalia, and we are participating with a naval ve in the United Nations-supported operation Combi Task Force 150, which is engaged in anti-pir activities off the coast of East Africa. We are curre entrusted with the leadership of that marit operation.

In light of the large variety of actors in this fi strengthened coordination is absolutely essential. therefore warmly welcome the paragraph in resolution calling for the establishment of international cooperation mechanism to act a common point of contact between and among St and regional and international organizations on aspects of combating piracy off Somalia's coast. mechanism should be given a broad scope and constitute a major step forward. We welcome plan form a contact group based on resolution 1851 (20 and stand ready to participate actively in that effort.

A major focus area for the internati community's attention should be the question judicial infrastructure. Recently, Danish naval force Combined Task Force 150 detained a number suspected pirates in international waters. Since it impossible to prosecute the suspects in Denmark o any other relevant State, Denmark eventually had release the detainees. That episode illustrates how t States engaged in anti-piracy activities are faced very difficult challenges regarding the handling prosecution of persons detained in international wa and suspected of piracy or other criminal activities.

In the long term, we may need to examine concept of bringing suspected pirates before international tribunal. In the shorter term, however, need to also focus on more practical solutions. In respect, it is of key importance to conclude regi and bilateral agreements between States on extradition and prosecution of pirate detain particularly in the region concerned. Consequently, strongly support the initiative of Governments in Africa, in cooperation with the IMO, to conclud regional agreement to prevent, deter and supp piracy and armed robbery against ships. In general, note and warmly welcome the many constructive cooperative signals we receive from nations in region.

We must also consider new and innovative approaches. Denmark has suggested to the IMO that a team of experts be established in order to assist detaining States in ensuring that pirates detained at sea are prosecuted. We have also proposed that the IMO, in the context of technical cooperation, give priority to those issues concerning the building of a stronger legal infrastructure in the region. We appreciate the support which we have received so far concerning those proposals.

Finally, as indicated by others here today, piracy is in many ways merely a symptom. Obviously, we also need to look at its root causes and continue the work to produce a cure. The situation inside Somalia is indeed deeply worrying. We need to assist Somalia in preventing and fighting piracy inland by supporting a political solution and promoting peaceful and sustainable development in parallel with our efforts to combat piracy.

In conclusion, I would like to reiterate the strong support of my Government to the international fight against piracy reflected in resolution 1851 (2008). Denmark will remain actively engaged and looks forward to continued cooperation with all other actors in this field.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): At the outset, let me thank you, Sir, for giving me the opportunity to speak before the Security Council on the subject of the increase in acts of piracy and armed robbery against ships off the Somali coast. I also wish to thank the Secretary-General for his thorough briefing on the subject, as well as the recommendations contained within his report (S/2008/709), with regard to measures to be taken by the international community to resolve the issue.

According to the information contained in the report of the Secretary-General, the humanitarian and security situation in Somalia is deteriorating rapidly day by day. In spite of improvements and the negotiations between the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia, the violence and warring continue to worsen. Because of our geographic proximity, we in Yemen suffer the consequences of that deterioration in the Horn of Africa, and especially in Somalia.

With Somalis fleeing the war and the dismal economic situation there has been a proliferation in piracy and the trafficking of human beings. Yemen has spared no effort, within its means, to resolve the Somali crisis through a series of initiatives to bring together Somali tribes, political parties and factions and leaders.

With regard to the issue of piracy in the territorial waters off the coast of Somalia and in the Gulf of Aden, which continue to increase, we believe those acts pose a serious threat to the safety and security of international maritime navigation in some of the world's most important international seaways. Therefore, my country condemns and denounces all acts of piracy and armed robbery against ships in the territorial waters off the coast of Somalia, in the high seas and in the Gulf of Aden.

In that context, the Republic of Yemen is working with the coastal States of the Red Sea and the international community with regard to the proliferation of acts of armed robbery and piracy and the best ways to put an end to that scourge. My country welcomes the consultative meeting of the coastal Arab States held in Cairo on 29 November under the joint presidency of Yemen and Egypt to discuss the phenomenon of piracy off the Somali coast and ways to combat it. We welcome the communiqué adopted at the end of the meeting, which stated that the protection of international marine transport and the security of the Red Sea and the Gulf of Aden are the responsibility of the coastal States and therefore, before any arrangements or operations are established, there must be prior consultation with those States in the context of the territorial waters and international waters adjacent to those States.

My delegation reiterates our ability to protect our territorial waters and we are prepared to cooperate with concerned States in order to consolidate stability and security in the Gulf of Aden and the Arabian Sea, and we call for concerted efforts to combat all acts of piracy and to provide assistance to the countries affected by that phenomenon by strengthening the capacity of their coast guards and providing technical and material support. My country supports international and regional efforts in the fight against the phenomenon.

The Republic of Yemen reaffirms that those efforts must be in line with the relevant provisions of international law and respect for the sovereignty of countries over their territories and territorial waters.

Acts of piracy off the coast of Somalia and in the Gulf of Aden have increased the social, economic and health-care burdens of Yemen because of the uninterrupted flow of refugees towards our country. There have been concurrent increased costs as well as increased need for the services of the coast guard in order to provide humanitarian aid and help rescue those who have been shipwrecked and who risk drowning because of the sea itself or because of the brutality of the shipowners. There have also been increased costs in insurance for ships navigating the seas in that area. Increased assistance to those coastal States can help eliminate piracy in the territorial waters off Somalia and the Gulf of Aden. In that context, the Republic of Yemen welcomes the final communiqué adopted by the United Nations conference held in Nairobi on 10 and 11 December 2008, as well as the recommendations contained therein.

My country believes that establishing a regional centre in Yemen for the exchange of information on piracy and for providing the necessary technical and material support could contribute to coordinating regional and international efforts to combat piracy and armed robbery at sea.

In this context, my country looks to Asian countries party to the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, as explained by the representative of Japan in his statement this afternoon. That Agreement is in perfect harmony with the proposal put forward by the Republic of Yemen with regard to regional cooperation and combating piracy in our region. The Agreement will serve as useful guidance in drafting our own regional agreement.

My country also believes that the issue of piracy is an inevitable result of the deterioration of the political situation and instability in Somalia. It is also the result of the absence of a functioning State for 17 years. It will be possible to overcome this problem only once a comprehensive political solution that takes all aspects of the issue into account has been reached. In this context, the Republic of Yemen reiterates the need for national reconciliation in Somalia.

In conclusion, we also need to state that the piracy crisis cannot be completely eradicated, regardless of the efforts made, because its root cause is the international community's wilful disregard of the situation in Somalia. The population there is at war, and the territory of Somalia provides the context for the settling of regional issues.

The international community thus needs to give the attention and support needed to strengthen Somalia's central State institutions. It also needs to call upon the parties to form a Government of national unity and put an end to the conflict in Somalia so that the country can consolidate peace and security in its own territory — land, sea and air.

Mr. Abdelaziz (Egypt) (*spoke in Arabic*): Mr. President, allow me at the outset to convey to you the greetings of Mr. Ahmed Aboul Gheit, Minister for Foreign Affairs of the Arab Republic of Egypt, who was looking forward to participating in today's meeting of the Security Council in order to reiterate Egypt's great interest in the issue of piracy off the coast of Somalia and the situation in Somalia in general, but due to unforeseen circumstances was unable to participate in the meeting. I therefore have the pleasure to deliver this statement on his behalf:

> "The past few months have seen a noticeable and worrisome escalation in the phenomenon of piracy and armed robbery off the coast of Somalia. This phenomenon constitutes a real threat to navigation in that important strategic region, to the flow of trade and to the movement of goods on the related maritime routes.
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> "There is no doubt that this high-level meeting of the Security Council to discuss the phenomenon of piracy and the means of combating is ample testimony to the fact that this phenomenon has become a serious threat to international peace and security. There is a real need to widen the scope of the debate and to continue to exchange views on the optimal means to combat the phenomenon in the context of implementing existing legal and political frameworks and taking into account the international, regional and security circumstances, with a view to arriving at an agreed approach for action.
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> "Egypt deeply deplores the escalation of acts of piracy off the coast of Somalia. However, it considers the phenomenon to be the direct and clear result of the fragile political and security situation in Somalia, which in turn is the result of the continued disinterest of the international

community and of its disregard of the need to consolidate peace and security in Somalia. From this perspective, the Egyptian position is based on the need for a comprehensive approach to the situation in Somalia that addresses the root causes and motives of the phenomenon of piracy in the region and undertakes the rapid and effective security actions needed to respond to all forms of piracy and armed robbery.

"From that point of view, Egypt has supported international and regional efforts and initiatives undertaken to combat this phenomenon. It has emphasized the need for coherence among these efforts and respect for the relevant rules of international law and for the principle of a State's sovereignty over its territorial waters. Egypt has also stressed that these efforts should be made in conjunction with the holding of a broad and detailed debate that covers all the criteria and legal obligations with the aim of agreeing on specified procedures to regulate the response to this phenomenon in its various stages, from military confrontation, interrogation methods, criteria and controls, to legal and judicial procedures applied to perpetrators. Indeed, various options concerning trials of the accused should be explored, including the possible establishment by Security Council resolution of an ad hoc international court.

"It is important for us, in speaking about the phenomenon of piracy off the coast of Somalia, not to confuse issues relating to the geographical scope of the phenomenon. From all indications, the scope does not exceed the region of the western Indian Ocean and the Gulf of Aden off the coast of Somalia. Thus, the Arab Republic of Egypt had been keen to convene a consultative meeting of the Arab Red Sea riparian countries on 20 November 2008 in order to confirm two facts. The first is that there are no acts of piracy in the Red Sea and that the Red Sea has its own specificities that distinguish it from other regions facing a fragile security situation, due to the fact that countries bordering the Red Sea have the capacity to secure their shores and their territorial waters. The second fact is that the Arab countries bordering the Red Sea are concerned about the escalation of the phenomenon near the southern part of the Red Sea, and that they have the capacity to secure navigation in the Red Sea and to prevent the phenomenon of piracy from emerging there.

"We thus remain eager to agree as soon as possible on measures and procedures to end this phenomenon off the coast of Somalia. We are all therefore responsible for being accurate in our pursuit of legal and political agreements in order to ensure the cooperation of all parties and to provide a legal and practical umbrella for all efforts to combat piracy without violating the established and agreed sovereign rights of States.

"In conclusion, allow me once again to emphasize the organic linkage between the phenomenon of piracy and the Somali issues in general. This situation should prompt us to think seriously about the optimal and most effective way to support peace consolidation efforts and stability in the country, particularly after the Somali parties' success in signing the Djibouti Agreement in August, as well as the subsequent executory security and political agreements. These agreements require the international community to demonstrate sufficient support to protect the progress already achieved towards reaching peace and to prevent setbacks in efforts at national reconciliation. Indeed, such setbacks could have adverse and dangerous political and security ramifications.

"Egypt looks forward to the Security Council's substantive discussion of all proactive options, including the deployment of a United Nations peacekeeping force in Somalia that would act as a safety valve for the joint Somali force that the parties agreed to establish in support of stabilization in Somalia following the withdrawal of the Ethiopian forces. In addition, options to strengthen a United Nations peacekeeping force with maritime and land components to address the piracy phenomenon from all angles need to be explored."

Mr. Sen (India): I thank you, Mr. President, for scheduling this open debate on the threat posed to international peace and security and to the humanitarian situation in Somalia by the acts of piracy in the territorial waters and off the coast of Somalia.

At the outset, let me welcome the Council's adoption today of resolution 1851 (2008) in this context. As one of the nations that share the Arabian Sea with Somalia, India is particularly concerned by the incidents of piracy that are an unfortunate outcome of a larger and ongoing tragedy in the country.

India endorses the need for coherent international efforts to anchor in Somali soil national and regional political processes through an effective peacekeeping mission, ideally under United Nations leadership. A comprehensive approach that addresses the chaos that has long enveloped Somalia is the best long-term solution to the problem of piracy in Somali waters.

Nevertheless, recognizing the continuing tragedy of Somalia and our inability so far to integrate political processes in a broader peacekeeping effort cannot justify the lack of a well-coordinated response to the turmoil spilling out into the oceans. Piracy is a challenge that must be met urgently, collectively and cooperatively by the international community.

Piracy in Somali waters and off the coast of Somalia is an immediate challenge, not only to Somalia itself and the neighbourhood but to international commerce and finance, besides international peace and security. India is directly affected by piracy. Attacks not only impact shipping to and from Indian ports and our extended neighbourhood, but also exact a heavy impact upon us, since the international merchant marine has a substantial proportion of persons of Indian origin.

For that reason India has responded to the challenge of piracy at the request of, and in consultation with, the Transitional Federal Government of Somalia. Over the last two months, India has deployed two of its modern naval vessels to deal with the challenge of piracy. We have had some successes in that regard, including as recently as last weekend, but we recognize that piracy remains a significant threat.

From that standpoint, India believes that the international response to piracy in Somalia needs to include, given the special circumstances in Somalia, an enhanced and institutionalized coordination of international effort to deal with piracy. Not only must we institutionalize operational coordination among navies in the area, but also a mechanism must be set up for those involved in the anti-piracy effort to work with countries of the region in responding to the challenge. We welcome the announcement by the United States Secretary of State of the decision to establish a contact group in that regard.

India would also like to underscore the importance of ensuring a central role for the United Nations, given the international legitimacy that it brings, and not solely as a clearing house for the flow of information on anti-piracy efforts. Greater clarity is required as regards the legal framework of dealing with apprehended pirates. Moreover, common procedures need to be worked out to prosecute those arrested.

There also needs to be a closer linkage between the arms embargo and the anti-piracy effort. That suggestion, which we endorse, was made by the Monitoring Group on Somalia in its 10 December report (S/2008/769). It is important to stem the flow of weapons and to make those involved in planning, financing and facilitating acts of piracy accountable, including by blocking their access to revenue generated from ransom. That is required as the payment of ransoms is encouraging further acts of piracy.

Expansion of the capacity of Somali entities to deal with acts of piracy, both from land, where they are launched, and in Somali coastal waters is also needed.

Finally, the international community needs the International Maritime Organization to lead a process of evolving effective protection systems and strategies for merchant vessels to adopt when navigating piracy-infested waters. That will also help reduce the burden that is currently devolved upon a limited number of naval assets in protecting a large zone of impact.

In conclusion, let me emphasize that while there is truth in the adage that an ounce of prevention is better than a pound of cure, we are currently beyond the phase where prevention can be contemplated. Therefore, we have few options besides simultaneously attempting to deal with the symptoms and trying to cure the disease.

The President: I now give the floor to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States.

Mr. Mahmassani (*spoke in Arabic*): Addressing the phenomenon of piracy off the coast of Somalia requires that we also address the root cause of that phenomenon, which is, in effect, the dangerous and deteriorating situation in Somalia, presaging a total collapse. We therefore believe that we need to support the process of peace and national reconciliation in

Somalia through the implementation of the Peace and Reconciliation Agreement signed in Djibouti under the auspices of the United Nations, the African Union and the League of Arab States between the Federal Transitional Government and the Alliance for the Re-Liberation of Somalia. We call on all Somali factions to settle their disputes and we appeal to the parties that have yet to join the Djibouti Agreement to do so as soon as possible and to commit effectively to it.

The international community is called upon to undertake speedy measures to contain the situation in Somalia. We support the request of the Secretary-General to deploy a multinational force, as mentioned in his report to the Council (S/2008/709). We welcome the readiness of the African Union to integrate its mission into that force, so that stability can be achieved on the ground.

The deterioration of the security, humanitarian and economic situation in Somalia is among the root causes behind the spread of lawlessness and chaos from land to sea. That has had repercussions on international navigation. Acts of piracy continue unabated and now threaten maritime navigation in the Gulf of Aden, which has resulted in billions of dollars of losses for countries of the region.

Despite the fact that many naval vessels of various nationalities are stationed off the coast of Somalia, acts of piracy continue and are on the increase and becoming more daring. In the past two months alone, pirates attacked 30 vessels. The pirates' take from the ransom of captured vessels in 2008 is estimated at $120 million. Sixteen vessels, of the 40 that have been taken are still in the hands of pirates. It is worth noting that the pirates released the crews after they were taken hostage. Fighting piracy requires that those who have committed acts of piracy be brought to justice. There should be full coordination among military vessels and international law, as set out in the United Nations Convention on the Law of the Sea of 1982, must be respected.

Acts of piracy at sea are only symptoms of the major problem of the deteriorating situation in Somalia. They are the direct result of the absence of any de facto authority on the ground. Therefore, any action should be complemented by practical solutions to address the situation in Somalia itself.

We call on the Security Council to shoulder its responsibility and find a comprehensive solution to the question of Somalia, to end acts of piracy and to work on establishing the rule of law in Somalia itself and off its coasts.

The President: I now give the floor to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union Commission.

Mr. Lamamra: First, Sir, allow me to congratulate you, and the Croatian delegation, for your leadership and to thank all members of this Council, particularly those whose terms will be ending soon, for their service to the cause of peace and security in the world, and more specifically in Africa.

Let me also, Sir, thank you for giving me yet another opportunity to address the Council on the situation in Somalia. This opportunity comes at a critical moment in the peace process, chiefly because Somalia has witnessed, in the past months, significant developments with regard to the expansion of the scope of peace and reconciliation through meaningful dialogue among Somali stakeholders, sponsored by the United Nations. It also comes at a time of great need to prop up shared resolve in the face of a positive evolution that is hardly matched by the much-needed capability to deliver at the operational level.

It is well known that Africa responded to the call of duty towards the Somali people under adverse circumstances; it deployed the African Union Mission in Somalia (AMISOM) with very little experience in institutional and managerial control of peace support operations, in the absence of a peace to keep and relying heavily on external support. It is gratifying to note that AMISOM has been resiliently representing the international community on the ground in Somalia for the past two years and is today capable of providing a modicum of support to the ongoing efforts resulting from the Djibouti process. Indeed, we believe that, if faithfully implemented, the agreements reached in Djibouti can constitute building blocks for establishing the foundation upon which the process of lasting peace and reconciliation can be predicated.

The recent announcement of the withdrawal of the Ethiopian national defence force from Somalia, following ample notice of the Ethiopian Government's intention, is fully consistent with the provisions of the Djibouti Agreement. The announcement is to be taken and welcomed as one of the main contributions to the

resolution of the conflict. This development should therefore be seen in that light and not construed as a problem in itself. It is in this context that the international community ought to translate whatever challenges such a withdrawal indeed poses into opportunities to be taken advantage of by responding to the demands of the new situation.

The deployment of a robust mission capable of stabilizing the theatre and delivering on its mandate remains the primary challenge, among the myriad of issues facing the African Union since the inception of its engagement in Somalia. This has not been possible owing to several factors, which included the inability to reach the Mission's authorized strength and the lack of sufficient financial and logistical resources to sustain and maintain troops on the ground, including adequate and appropriate equipment to enhance the operational capability of AMISOM.

Our efforts aimed at enhancing AMISOM continue. This reflects the readiness of the African Union to cooperate and be part of any arrangement that will result in the creation of the peacekeeping force foreseen in the Djibouti Agreement. In this respect, I would like to call upon all friends of Somalia to pledge troops, logistics and equipment for the establishment of a United Nations-authorized force, which will stabilize the country and be an integral part of a full-fledged United Nations peacekeeping operation, leading to post-conflict reconstruction and development. This needs a well-articulated Security Council mandate, and I sincerely hope that it will happen sooner rather than later.

I wish now to refer to the twin problems of piracy and armed robbery at high seas and terrorism. The Somali waters, including the Gulf of Aden, now constitute perhaps the most dangerous waterway on the globe. Vessels are now extremely vulnerable when transiting through the area. It is noteworthy to observe that the collapse of the structures of governance in Somalia, beginning in the 1990s, fuelled conditions for the widespread growth of piracy in the region. This first manifested itself in illegal fishing off the coast of Somalia and provided the rationale for attacks on ships by Somali fishermen. The situation further deteriorated into acts of piracy in this vital strategic waterway, with the involvement of "businessmen" underwriting a war economy, including the trafficking of weapons of all types on the mainland and the infiltration of terrorists that supported the insurgency in South-Central Somalia.

Piracy is, therefore, clearly a symptom of a larger problem — that of lawlessness in Somalia. There is an obvious need to address both the symptom and the root problem. Having said this, I should like to applaud the efforts of the Security Council, the European Union, the Russian Federation, India, Pakistan and others and appreciate the declared readiness of Saudi Arabia, Egypt and others to join their respective forces in combating this international criminal phenomenon.

For its part, the African Union is in the process of complementing these efforts by setting the tone to address maritime security and safety, including situational awareness in the maritime domain of the African continent, by thoroughly addressing the issue in the Commission's new strategic plan for the period 2009 to 2012.

The developments in and around Somalia underscore the need for the international community to renew its commitment to address the very complex and multidimensional problem that currently besets Somalia. At a time when partners in the international community are mobilizing to assemble extraordinary assets to combat piracy, Somalia should not be allowed to sink. Our shared values and principles and the indivisible peace and security of the world would be seriously undermined if that were to happen.

We are aware of the challenges that the Secretary-General faces in bringing his plans of establishing a multinational force to immediate fruition, and fully support and welcome plans to avail AMISOM of the financial and logistical resources, including equipment, that may have been pledged. This would assist AMISOM in the short term to sustain its operations and expand current troop levels for greater robustness of the Mission. Indeed, AMISOM requires, more than ever, significant financial, logistical and technical assistance to enhance its efficiency and enable it deliver on its mandate. Above all, AMISOM still requires renewed political support and a clear vision of the international framework in which it will be developing in the near future.

Allow me at this stage to make it very clear that the African Union's position is and has always been that an effective, well-equipped and properly funded United Nations peacekeeping operation should be deployed in Somalia. I welcome and highly value the

strong support extended to the African Union position by the Secretary of State of the United States of America at this meeting and by other delegations. The African Union will certainly applaud the immediate establishment of such a force if at all possible, and the African Union is also prepared for the rehatting of AMISOM troops.

I would like also to take note, with appreciation, of the important comments and recommendations made at this meeting by the Secretary-General on what he sees as bridging security arrangements, which could result in enhancing the effectiveness of AMISOM and would lead to the deployment of a full-fledged United Nations peacekeeping mission in Somalia as soon as possible. Allow me also to stress in this context that time is of the essence and that the status quo is just not sustainable.

At this critical juncture, let me be more specific on what the African Union sees as the pressing requirements.

The first requirement is to send a strong political signal expressing the continued commitment of the international community to the peace and reconciliation process in Somalia through the renewed engagement of the Council in favour of the full implementation of the Djibouti Agreement.

The second is the authorization of the deployment of a United Nations peace support force in Somalia that would include and complement an enhanced AMISOM.

The third is to build on an enhanced AMISOM, in particular by providing the urgent support needed to beef up the force to reach the authorized level of 8,000 troops, as well as to further enable AMISOM with air and naval capabilities.

The fourth is to fully support the Djibouti process by helping to put in place a broad-based Government of national unity, an expanded Parliament and a 10,000-strong police force, to be trained by AMISOM and the international community.

Somalia deserves a resolute commitment by all to actively pursue every measure necessary to ensure a lasting solution to the conflict that has engulfed that country for nearly two decades. I therefore urge the Security Council to vigorously consider its options. The Council should take firm and decisive steps to avoid a security vacuum that would have the potential of endangering the whole peace process in Somalia and more dramatically threatening regional and global peace and security.

We at the African Union are ready to make additional sacrifices and to pursue our undertaking in Somalia within the context of greater United Nations involvement and more effective international support. The leaders of AMISOM troop-contributing countries — Burundi and Uganda — have pledged to us their renewed commitment in that respect. We need the Council's strong leadership at this critical turning point for Somalia. Its decision on the United Nations taking more responsibility in Somalia will have a direct bearing on the decisions of the forthcoming ministerial meeting of the African Union's Peace and Security Council on the issue of the renewal of the mandate of AMISOM.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded its business for this meeting.

The meeting rose at 6.45 p.m.